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ABSTRACT

This handbook is designed to be used as a quick reference and to provide Nevada public library trustees with basic information for helping Nevada public libraries increase their services to meet the informational, educational, and recreational needs of the people of Nevada. The handbook consists of the following chapters: Take Time to Learn the Job; The Board Member's Responsibilities; Board Member Ethics and Liability; The Library Director's Job; The Board and Policy Making; Library Budget and Finance; Library Board Officers; Library Board Meetings; The Decision Making Process; Planning for the Library's Future; Library Advocacy and Public Relations; Nevada Library Agencies and Associations; and Glossary. A list of suggested readings is also included. An appendix provides sample job descriptions for library trustees and directors; standards for trustees and minimum public library standards; role comparison between director and trustee; guide to parliamentary procedures; ALA and NLA intellectual freedom documents; Nevada Public Library Law, Chapter 379; financial Disclosure forms; memorandum; and fine schedule. (AEF)

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A Handbook for Trustees of Nevada Public Libraries

1998

(Abridged Edition)

Compiled by Peggy Mills

Edited by Bonnie J. Buckley and Joan G. Kerschner

Joan G. Kerschner, Director

Department of Museums, Library and Arts

Nevada State Library and Archives
100 North Stewart Street
Carson City, NV 89701-4285

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State Library and Archives Administrator Joan G. Kerschner, for reviewing every page and adding text to illuminate legal responsibilities and to answer questions most frequently asked by Nevada Library Trustees and Directors.

THIS HANDBOOK WAS PREPARED AS AN
EDUCATIONAL RESOURCE AND SHOULD NOT REPLACE LEGAL ADVICE

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INTRODUCTION

Congratulations on your appointment to serve as a public library trustee for your community! You are to be commended for your interest and involvement. Your active participation is needed to help Nevada public libraries grow stronger and increase services to meet the informational, educational and recreational needs of the people of Nevada.

This handbook will serve as a guide to help you get started and become comfortable with your role as a public library trustee. It is designed to provide you with basic information and to be used as a quick reference for helping you do your job in an efficient, effective manner. Think of it as a map by which you can explore the opportunities, responsibilities, and liabilities of serving as a public library trustee.

All public library boards are bound by a variety of laws which govern their policies and operating procedures. You will find copies of Nevada Revised Statutes (NRS) Chapter 379, Public Libraries, along with forms related to NRS 281.561, a section of the Ethics in Government statute related to financial disclosure, in the Appendix of this handbook. The abridged edition excludes other statutes cited in the handbook which are available at Nevada public libraries and on the state government website.

While all Nevada public libraries share legal authority described in NRS, each library serves the unique needs of the local community. Please use this handbook to develop your individual role and participation as a public library trustee.

CHAPTER 1. Take Time to Learn the Job

This job deserves your very best effort.

It is distinctly an honor to serve on the board of a Nevada public library. Board members set the direction for a very important service. You will govern the expenditure of public funds and be responsible for many thousands of dollars of library assets. When you accepted the position, you also accepted the responsibility to expend time and effort to learn, and then to do the job. The community has entrusted you with this responsibility. Your peers believe you have the skills to govern the library and they trust you to do that. You are therefore referred to as a **trustee**.

What a privilege it is to sit in a seat so powerful that you make decisions that affect the lives of so many people who use the library now and many more who will benefit from a good library far into the future.

However, being a library board member is not all honor and privilege. It's hard work and sometimes you'll have to look hard to find the rewards for your efforts. Becoming a good trustee is an acquired skill that must be learned, honed to a sharp edge and regularly updated.

You have two major tasks facing you as a board member. The first is to govern the library. Among other things, you will plan and monitor finances and services and evaluate the progress of the library. The second major task is equally important. You must become a part of the board team and keep it functioning at optimum level. If you and the other board members don't do a good job of building and maintaining your skills of teamwork and good board membership, you won't be able to accomplish the first task --- governing the library.

The intent of this manual is to help you with both tasks.

As you gain experience on the board, you will continue to learn facts, statistics, history, procedures and a thousand other things. But first things first:

➢ **Get to know the other people who serve on the board with you** -- not just their names, but who they are. What are their interests and concerns? What motivates them to serve on the library board? Team-building begins by knowing your teammates. Governance cannot happen without team effort.

➢ **Get to know the director**, the other part of the board team. There must be a high level of trust between those who govern the library and the person they have chosen to manage. Board members and the director form the board team.

➢ **Recognize that this job deserves your very best effort.** The governance of the library demands the best job you can do. It will require time and effort on your part.

➢ **Continue to learn.** Ongoing development activities should be part of the plan for every board and every board member. Attend state and national library conferences, take part in board development workshops, read pertinent literature about library services and governance of the library.

➢ **Find out where to go for answers to your questions.** Your best defense against being totally lost in the early stage of your term as a board member is to know the people and resources that will give you quick answers to tough questions.

The director and other board members are the best sources for learning about the library. This manual is designed to be a guide to the basics of good board membership and will answer many of your questions.

You will continue to learn about the library and how it works for as long as you remain on the board. But some information is needed from the beginning. Here are some questions to which trustees should know the answers:

What are the mission, goals and objectives of the library?

When was this library organized and what is the service area?

How many citizens does this library serve?

How big is the annual budget and what are the total assets of this library?

What facilities and equipment does the library own or rent?

What is the total indebtedness of this library?

Where does the money come from to finance this library?

How many staff does the library have and what do they do?

What local/state/national legislative issues could affect the library?

What are the major problems faced by the library?

Your orientation should include, but not be limited to, information provided in these documents:

Nevada Public Library Law (NRS 379).

Open Meeting Law (NRS 241).

Administrative Procedures (NRS 233B.0607).

Public Records (NRS 239.010,013,052,080,125).

Ethics in Government (NRS 281.411-671).

Local Government Purchasing Act (NRS 332).

Five year master plan of the library.

Board policies and procedures.

Annual calendar of major board and library activities.

Annual budget approval calendar and the current budget.

Financial reports for the past year.

Organizational chart and a library directory, if available.

Annual reports for the past five years.

Minutes of board meetings for the past year.

Library brochures or pamphlets.

Historical reports on the library.

Being a Board Member is:

a Privilege

an Honor

Hard Work

Rewarding

Fun

CHAPTER 2. The Board Member's Responsibilities

The library board is responsible for the library and all that happens in it.

That may be a strong statement, but it is both a legal and practical way of looking at the job you accepted as board member. Even though the board delegates the actual day-to-day operation of the library to professional, paid staff, the board never gives up ultimate bottom-line responsibility for the success or failure of the library. To manage that responsibility, the board has six major tasks:

Set policies.
Hire and evaluate the director.
Plan for the future of the library .
Submit budgets and monitor finances.
Monitor and evaluate the overall effectiveness of the library.
Advocate for the library in the community

(See statutory powers and duties of Nevada library trustees in NRS 379.025. A Job Description and Minimum Standards for Nevada Library Trustees, based on the statute, are included in the Appendix).

Set Policies

The board must first establish broad but clear policies about what the library will do and how it will be done. Policy is a carefully designed, broadly stated, written guideline for actions and decisions of the library. It is a governing principle formally adopted by the board.

The board begins with the mission statement and writes policies that outline parameters of how the library will operate to accomplish its mission. Then the board observes, interprets, evaluates and supports those policies. The board also modifies existing policies and creates new policies as needed to keep the library running well. **The board's role in developing library policies is explained further in Chapter 5.**

Hire and Evaluate the Director

One of the major responsibilities of the library board is hiring a library director. To ensure that the most qualified candidate is hired, it is critical that the library follow standard hiring procedures.

Before thinking about a new director, a preliminary assessment of the current status of the library should be reviewed. In order to do this, the board needs to discuss the following questions:

What is the role of the library in the community?
Have library needs changed? Has the library kept pace?
What qualifications are needed in the next director?
What is the reason for the job opening?
Was the previous director dissatisfied? Why?
Was the board dissatisfied with the previous director? Why?

A time line should be established to include:

Appointment of a search committee.
Review of job description and development of advertisement.
Date that advertisements will appear and deadline for applications.
Time period to review applications and to decide on persons to interview.
Time period for interviews.
Time period for board to make decision and offer job to candidate.
Time for candidate to respond and anticipated starting date for the new director.

Chapter 4 has more information on Director responsibilities and evaluation and on hiring a new Director.

Plan for the Future of the Library

Planning in an age when dramatic change in libraries comes almost faster than we can comprehend seems like an exercise in futility. But the fact that change is so rapid is even more reason that every library must have a plan to cope with rapid change and the effects it can have on the library.

Failure to plan is planning to fail. Board members must be visionaries for the library. They must plan as far ahead as five to ten years. The board is generally recognized as the responsible party for planning and the director is responsible for developing strategies to accomplish the goals set by the board. But all planning for the library is a team effort of the board, director and staff.

The library's five year masterplan is like a mark in the sand placed as a reference point to determine if the library is moving ahead, standing still or falling behind. Always be aware of the mission, goals and objectives of the library so that you can accurately measure the progress. The decisions you make as part of the board team will determine progress or lack of progress. **See Chapter 10 for a complete discussion of the Planning Process.**

Submit Budgets and Monitor Expenditures

Finance is one of the most difficult items you will have to review and monitor, but it doesn't have to be an overwhelming task. Begin your monitoring with careful attention to the budget. The budget is the board's financial plan for the library and deserves your attention. The budget will be prepared by the director and staff and presented to the board for approval. When the budget is presented, board members must ask whatever questions necessary to gain a reasonable understanding of this financial plan, including where the money is coming from and where it will be spent.

Monthly financial reports to the board are the windows used to monitor how well the director and staff are following the financial plan the board approved when they voted on the budget. If you don't understand the reports, ask the director for an explanation. Remember, you don't have to know everything about the finances, just enough to feel comfortable that the money is coming in and going out according to your budget plan.

Financial reports will cover both the revenue side and the expense side of the budget. On the expense side, you should understand what was budgeted, what has been expended to this point, the variance between the spending plan and what is actually being spent, and the reasons for the variances. The same is true for the revenue side. How much money did you anticipate at this point? What has actually come in?

To learn about library finance, new board members should insist on a good orientation about library finance and how to monitor financial status. If the budget is not clear to you, ask questions. If the financial report is not clear to you, ask questions. If the audit report is not clear to you, ask questions. **Chapter 6 has more information on library finance.**

Monitor and Evaluate Library Effectiveness

The very term "trustee" indicates what the community expects from you. The community puts its trust in you to make sure the library is operating the way it should. It's your job to keep an eye on the progress of the library for the community.

Of course, you can't watch every detail and every activity that takes place in the library, because that would be a full-time job. Board members monitor and evaluate "bottom-line" results.

For example, you cannot and should not be in the library every day monitoring the kind of service provided by library staff. But the board can survey the community to find out the overall satisfaction of those who use the library. That's bottom-line evidence of the work the staff is doing.

Advocate

To be a library advocate is simply to work for the betterment of libraries, or more importantly, for the betterment of library services for citizens. The results can be spectacular--and the rewards great. As a trustee, you are in a unique position to be a library advocate and to place your library in high regard by members of your local community. Because you serve as a volunteer leader of the library, you qualify as a good advocate for the organization. Volunteer board members' motivation is service to the community. Board members are also community leaders and influential in the community, prime qualities for an advocate.

Advocacy is a primary role of a library trustee because you have statutory responsibility for your library's governance and a moral responsibility to better its services. In cementing the relationship between the local community and its public library, you are in a unique position to promote and advance the cause of libraries. Your board is privy to knowledge of how your library works and what it has to offer. You can truly represent the library when working with citizens, the media and local community groups.

One of the main responsibilities of the library board is to obtain adequate financing for the library. Reaching out into your local community to provide the financial support the local library needs has been a hallmark of library trusteeship. This is the kind of advocacy with which trustees are most familiar. Trustees also have a role in other types of advocacy, such as in the legislative process or in working with the media. **See Chapter 11 for detailed information on Library Advocacy and Public Relations.**

CHAPTER 3. Board Member Ethics and Liability

As a board member of a public library, you are a public servant.

Beyond the strict legal definition of how board members should conduct themselves, there are board member ethics. The public expects that your performance will always be above question and for the public good, not for your own interest or another special interest. Most professional employees are covered by a code of ethics or standards of practice. The following is a suggested code of ethical conduct for library trustees:

As a member of the library board I will:

- Participate actively in board meetings and actions.
- Listen carefully to the board members who are my teammates.
- Respect the opinions of the other board members.
- Respect and support the majority decisions of the board.
- Recognize that all authority is vested in the board when it meets in legal sessions and not with individual board members.
- Be well-informed of relevant issues that may come before the board and call attention to issues that may have an adverse affect on the library.
- Interpret the needs of the community to the library and interpret the action of the library to the community.
- Refer complaints about the library to the proper level on the chain on command.
- Recognize that the board member's job is to ensure that the library is well-managed, not to manage the library.
- Represent the whole community to the library and not a particular interest or group, i.e. neighborhood, family, institution, organization.
- Do my best to ensure that the library is well maintained, financially secure, growing and always operating in the best interests of the community.
- Declare any conflict of interests between my personal life and my position on the library board and avoid voting on issues that appear to be a conflict of interests.

As a member of the library board I will not:

- Be critical, in or outside of the board meeting, of fellow board members or their opinions.
- Use any part of the library for my personal advantage or the personal advantage of my friends or relatives.
- Discuss the confidential proceedings of the board outside the board meeting.
- Promise prior to a meeting how I will vote on any issue in the meeting.
- Interfere with the duties of the director or undermine the director's authority.

Ethics in Government

Nevada public library trustees are public officers under NRS 281.436S. As such the Ethics in Government provisions of NRS 281.411-NRS 281.671 apply to all trustees. Trustees must be familiar with the Code of Ethical Standards in NRS 281.481. Of supreme importance is the requirement in NRS 281.561 to file statements of financial disclosure within 30 days of appointment to the board and annually on or before March 31 of each year of the term, including the year the term expires, or, if leaving before the term expires, within 60 days after leaving office. Failure to file is subject to civil penalty up to $575 for the first fifteen days and $100 for each additional day the statement is late. (See Appendix)

Liability

Legal action may be brought against public officers as individuals or as a whole for accusation of willful or corrupt misconduct in office or for malfeasance, misfeasance and/or nonfeasance, as well as for a variety of civil actions related to administration of personnel, purchasing contracts, tort claims, etc. Trustees must be familiar with requirements throughout the Nevada Revised Statutes. Public library boards of trustees are strongly encouraged to rely heavily on legal advice of the local District Attorney or privately hired board attorney, if the need should arise.

Some questions are more appropriately resolved by the Attorney General. A Deputy Attorney General is assigned to advise public agencies on issues and questions related to the Nevada Open Meeting Law. Another Deputy Attorney General is assigned to the Nevada State Library and Archives to advise on matters relating to Nevada library law. This Deputy Attorney General may be approached through your District Attorney or through the State Library and Archives Administrator. It is important that your board chairperson or library director discuss potential legal issues governed by Nevada Revised Statutes with the State Library and Archives Administrator who can direct your concerns to the appropriate legal authority.

Nevada Revised Statutes on the legal authority and responsibilities of public library trustees, and related laws, cited throughout this handbook are available at Nevada public libraries and on the state government website.

Administrative Procedures Act

Nevada Revised Statutes authorize government agencies to promulgate administrative regulations for many purposes. These regulations have the force of law. NRS 233B.0607 requires each agency proposing a regulation to deposit it with the librarian in the main public library in the county so that it will be publicly accessible for review and comment. These proposed regulations , along with NRS and Nevada Administrative Code (approved regulations) are public records and subject to the copy costs required in NRS 239.052.

Public Records/Records Management

Public libraries support open government and open access to public books and records. It is important to adhere to the spirit of the law of open public access to records of the board of trustees and the library. Because Nevada has a very antiquated public records law, most disputes over access are decided by the Attorney General using a court ordered "balancing test" or in the courts themselves. An important component of public access is meeting legal requirements for length of time records are to be kept.

Records of a library which identify a user with library materials used are declared confidential by law and may be disclosed only in response to a court order. (NRS 239.013) Some computer systems are designed to destroy records which identify library materials with a user upon return of the materials to the library. Other records generated by the board and library are governed by records retention schedules developed by the Records Management section of the Nevada State Library and Archives. The local government records retention schedule found in the Nevada Administrative Code, Chapter 239, will cover most types of records. It is important to note that **it is illegal to destroy records unless authorized by a records retention schedule.** NRS 239.080 and NRS 239.125 prescribe the authority and method for destruction of records.

CHAPTER 4. The Library Director's Job

The director is responsible for administering all functions of the library.

Just as there is sometimes confusion about the role of the library board member, there may be confusion about the director's role on the board team. The director is first an employee of the board, but the relationship between the board and the director is not the typical employer/employee relationship. The library board members' job is to make sure the library operates well and in the best interest of those the library serves, not to demonstrate expertise in managing a library. The board must hire a qualified director, who possesses the required professional library education and experience, to manage the day-to-day operations.

Hiring a New Director

Selecting and hiring a new library director is a responsibility of the library board. Before initiating a search for a new library director, the job description needs to be reviewed to ensure that it meets current requirements, including:

- Specific duties.
- Areas of responsibility.
- Salary and fringe benefits.
- Period of probation.
- Desirable areas of expertise.
- Minimum qualifications and experience.

The salary range for the director's position (and other positions in the library), should be comparable to other city/county personnel with comparable education requirements and responsibilities.

The job description should be used to write the advertisement. The announcement should be as comprehensive as possible providing a description of the position, required education and experience, and desirable areas of expertise and work experience. Include the salary range and fringe benefits, a brief description of the library and community, where to send applications, and the application deadline. Request a resume and professional references. The job opening should be publicized to as broad an audience as possible.

Before reviewing applications , criteria should be developed and used to rank them. It is helpful if a form is developed for use in screening and comparing each applicant's qualifications to the requirements of the position. Some qualifications that could be considered in ranking applicants are:

- Education. (See Minimum Standards for Public Libraries in Nevada)
- Experience in administration of a public library, and supervisory experience.
- Ability to express clearly why the candidate would be an effective director.

References for those candidates whom the search committee is interested in interviewing should be checked. An agreed-upon list of questions should be used when calling references and responses should be recorded for use in the decision making process.

During the interview the board should pose a standard list of questions to each candidate, but don't preclude opportunities for additional questions as conversation dictates. Some areas you may wish to cover in the interview are those pertaining to management and fiscal philosophy, interlibrary cooperation, intellectual freedom and community outreach. Remember, it is illegal to ask certain questions of candidates, such as marital status, age, family plans, etc.

Evaluation of the candidates comes at the end of the interview process. The committee should discuss and rank the finalists. Some qualifications that could be considered in ranking candidates are:

- Education in library/information science.
- Philosophy of library in line with the library's mission statement.
- Ability to explain how his or her experience and talent can be used for the library.
- Attitude of service to the community.
- Successful experience with board and community leaders and supervising staff.
- Commitment to continuing education for the director, staff and trustees.

The board must decide if one or more of the candidates should be offered the job or if the search is to be reopened. The top candidate should be offered the position by telephone. If the candidate accepts the position, follow up with a letter of agreement indicating the date employment benefits, salary, fringe benefits, etc. Notify other candidates immediately after acceptance of the job offer.

The Library Director's Responsibilities

The director is charged with virtually all the day-to-day management of the library and it must be understood by both staff and board that the director is the authority in matters of routine management. Although the director is responsible for the management of the library, the board retains ultimate responsibility for everything that happens in the library. Therefore, board members should expect a continuous flow of information from the director to help them in their monitoring and evaluating roles.

As prescribed by state law (NRS 379), Nevada public library directors shall:

- Administer all functions of the library.
- Employ staff.
- Recommend policies to the trustees.
- Carry out policies established by the trustees.
- Act as department head (in city and county government).

The library director has full responsibility for the operation of the library and all that is entailed in managing a variety of complex library functions and procedures. The director is also responsible for hiring, evaluation, and discipline of library employees in accordance with county and district policies. After board members carefully hire a qualified director they delegate all management responsibility to that director. The board's job becomes one of monitoring the director's work to make sure that library plans and policies are carried out properly.

This delegating and monitoring relationship the board has with the director is very difficult to master because it is such an unusual employer/employee relationship, but a citizen board governing a qualified director is a good system. It has the best elements of both worlds--a board of trustees which represents the best interests of the community, and a qualified director who has the skills to make the library run efficiently within the parameters set by the board. The director articulates library position, within city or county governing structure, as a local government department head or as a liaison in the case of district libraries.

The director is much more than just an employee of the board. The director is a valuable resource and often the leader on many issues that come before the board. The director should sit at the board table during all board meetings and be encouraged and expected to make recommendations on all issues that come before the board and to take part in board deliberations whenever necessary to help make decisions in the best interest of the library. There should rarely be an occasion when the board meets without the director as part of the meeting.

The director is responsible to the whole board, but not responsible to each board member individually. When delegating to the director, the board must speak with one voice. When giving direction to the director, the board must speak with one voice. When asking for accountability from the director, the board must speak with one voice.

Individual board members, including the board president, have no power to make demands of the director and should avoid trying to exercise power they don't have. The director cannot serve many masters and still manage the library effectively. This does not rule out individual board members asking the director for clarification about issues facing the board or discussing with the director concerns that individual board members may have, but it does rule out individual board members giving orders to the director.

Evaluation of the Director

The best way to evaluate and monitor the director is to have a good job description for the director and then conduct a formal annual evaluation to determine how well the director is filling the job description. Each library should have an employment handbook which covers evaluation policies as well as types of disciplinary action, dismissal and appeal procedures. Policies and procedures found in employment handbooks of city or county governments, or union contracts are also applicable to libraries.

The director's job description should be consistent with the mission, goals and objectives stated in the library's master plan. In addition to demonstrating skills and abilities in the areas of planning, decision making and communication, the director should display knowledge of professional library practices, ethics and philosophy and of library statutes, regulations and standards. (A model job description and a comparison of the roles of library director and trustees are included in the Appendix).

Make your evaluation a positive effort to communicate effectively with the director. Look as much for what the director does well as for areas that need improvement. The annual evaluation should result in a written document, and then the cycle should start again with decisions on the basis of the evaluation for the coming year's performance. The format and procedure for director evaluation must be worked out by each board, but it is important for everyone to understand both the criteria and process in advance.

If disciplinary action or dismissal becomes necessary, decisions must be based on a set of clearly defined, attainable job-related standards (separate from the job description) that have been acknowledged by the director at the beginning of the cycle.

Justification for dismissal should be based on job related facts (rather than personalities) and must be carefully documented. A board should not begin a dismissal process unless they understand the implications, have consulted with the appropriate local government officials, believe their position is defensible, and have obtained appropriate legal advice from an attorney.

CHAPTER 5. The Board and Policy Making

Written policies are essential for efficient library operation.

To do your board member job well, you must understand policy because that's where you'll be spending your time. You will be making policies, wrestling with policy issues, interpreting policies, monitoring policy effectiveness, enforcing policy, setting direction for the library through policies, and protecting yourself and the library through a good set of policies.

An effective set of written board policies...

- ➢ Informs everyone of board intent, goals, and aspirations.
- ➢ Prevents confusion.
- ➢ Promotes consistency of board action.
- ➢ Eliminates the need for instant (crisis) policy-making.
- ➢ Reduces criticism of the board and management.
- ➢ Improves public relations.
- ➢ Clarifies board member, director and staff roles.
- ➢ Gives the director a clear direction from the board.

A board policy is a carefully designed, written general statement of direction for the library, formally adopted by a majority vote of the board at a legally constituted board meeting.

Good policy is "developed" not just written. Good policy grows out of a lengthy process of studying issues and needs, gathering facts, deliberating the issues, writing the policy and reviewing the policy annually.

Board policies are not laws...

There is little need to repeat in board policy those statutes that already have the force of state or federal law unless the board policy spells out some special manner in which the library will implement or comply with a law. For example, if state law prescribes when your fiscal year will begin, there is no need to repeat that law in a board policy.

Bylaws are a higher and more permanent set of guidelines for how the board will operate. They do not cover the broad scope of library management. (Sample Bylaws included in Appendix).

Before developing library policies and procedures all relevant laws and regulations must be reviewed to ensure that there is no conflict with local, state, or federal legislation and rules.

At a minimum every library must have current policies on personnel matters, use of facilities, and, most importantly, services -- especially in the areas of selection of materials and collection development, intellectual freedom, privacy and confidentiality of patron records, and interlibrary loan.

The list below is not intended as a comprehensive checklist of all library policies but a few examples of the types of policies that fall within various categories.

Services

-programs and services offered
-circulation/registration
-privacy/confidentiality
-patron behavior
-interlibrary loan
-intellectual freedom
-collection development
-selection of materials
-public Internet access

Community Relations

-community use of facilities
-public solicitation and advertising in the library
-news media relations
-naming of facilities

Personnel

-recruiting
-personnel records
-sexual harassment
-reduction in force
-staff development
-hiring
-part-time help
-safety/health
-salary and benefits
-paid/unpaid leave
-termination
-evaluation
-transfers
-grievances

(Personnel policies and procedures of county or city governments may also apply.)

Let's look at policy development step by step.

1. **Identify the need.** Unfortunately many library policies are a direct result of a problem or even a crisis rather than a result of careful planning and foresight. The best way to identify the need for particular policies is to anticipate problems and write policies before the problems occur. Although it is helpful to review other library policy manuals, each library needs to develop their own policies. Ask the NSLA Office of Library Planning and Development for help.

2. **Gather the facts.** Most policies will grow out of recommendations from the library director. Your director is in touch with trends, problems and issues that demand policy statements from the board. Depending on the nature of the policy, you may want to seek legal counsel.

3. **Deliberate the issue.** Careful deliberation of a proposed board policy should include several considerations.

4. **Ask these questions.**

Is the proposed policy...

necessary?
compatible with other policies?
consistent with the mission statement?
within the scope of the board authority?
consistent with local, state and federal law?
broad enough to cover the subject completely?
practical?
enforceable?
affordable?

5. **Write the policy.** The actual wording of the policy is best left to the library director or a task force of board members and the director rather than the full board struggling with wording. The actual policy may come to the board and back to committee for revision several times before its finalized. Making good policy takes time.

6. **Adopt the policy.** Final approval of the written policy is a board responsibility .

7. **Establish a schedule for policy review.** Regular review of board policies can help keep policies current and at the same time keep board members current about board policies. An out of date policy can be as bad as having no policy at all.

8. **Place the policies in one manual.** To make board policies usable, they should be collected in one manual. The manual makes the process of learning board policy simpler for new board members and it makes application and interpretation of policies easier. A manual also makes the process of review and update of board policies much easier.

All changes in the policy manual must have board approval.

Operational Procedures and Regulations

Library procedures and regulations are not to be confused with policies. Whereas library policies address "what" the library provides, procedures and regulations provide specific details on "how" policies will be accomplished.

Using the general guidelines of board policies, the director and staff will write rules and regulations for the operation of the library. For example, your board may develop a policy that says the library will have a video collection for public lending. The director and staff will then write guidelines for purchasing materials for the collection, lending rules for the collection and various other regulations necessary to maintain and manage the collection.

The following list is an example of some operational procedures and regulations.

Board Operations

-meeting procedures
-methods of adopting policies
-committees for specified tasks
-filing ethics statements

Buildings and Grounds

- construction contracts
-maintenance requirements
-disposal of property

Business

-budgeting
-revenue collection
-setting fines and fees
-insurance
-inventories
-purchasing
-service contracts

CHAPTER 6. Library Budget and Finance

Trustees have a responsibility to safeguard public funds.

To understand the budgeting process and approve an annual budget for the library, board members must know where the money comes from and how much revenue they can expect to build into the budget each year. A good understanding of revenue sources is important as board members must encourage continued funding from those sources and find new sources when needed.

Each board member should:

- Know the library's financial base and background.
- Know the governmental unit(s) allocating the local appropriation.
- Know the grants available from the state and federal government.
- Understand the basics of legal regulations and reporting required for library funding.
- Understand the financial needs of library operation and plan for funds needed for growth and expansion.
- Investigate other possible sources of funding: a bond issue, endowments, trusts, memorials, dedicated tax revenue, foundation grants, donations, gifts, and fines.

Library trustees should not wait for a budget presentation to make a case for needed funding or to describe programs and services. This is an ongoing responsibility of all trustees.

Sources of Library Funding

Public libraries are structured in various ways in Nevada. County and city libraries are departments of county or city government and, therefore, must compete with other departments of local government, i.e. Police, Fire, etc., for funds . However, in Nevada many libraries are library districts which, as separate political entities, have separate taxing authority from that of the counties in which they are located. All districts must follow the State Budget calendar and deadlines, so district library trustees must be aware of these time lines.

When library districts are formed, taxes are levied at varying rates upon all taxable property in the district to create a "library fund" and transferred to a separate account to be administered by the trustees. (NRS 379.021). Sources of state-administered funds available to local governmental entities are identified in a publication called *Ad Valorem Tax Rates* which is updated yearly by the Nevada Department of Taxation. Sources and distribution of state-controlled funds to libraries and other governmental entities are subject to change and it is, therefore, wise to stay abreast of the sources and comparative rates of funding. Library trustees in all types of libraries may also propose general obligation bonds which must be approved by a vote of the electorate. (NRS 379.0225)

Libraries may receive additional funds by providing services to other jurisdictions on contract. For instance, one county library contracts with two other counties for administration of library services and some public libraries contract to provide cooperative services to school districts.

Government Grants

Federal and state grant programs are an additional source of funding for local libraries. All grant programs are advertised in *InfoConnection*, a newsletter published by the Nevada State Library and Archives, which is mailed to all public libraries. Detailed information describing specific grant funding is sent to Nevada library directors as applications and funding become available or may be requested at any time from the Nevada State Library and Archives (NSLA) Office of Library Planning and Development.

Nevada libraries may apply to the Nevada State Library and Archives annually for funding available through the Library Services and Technology Act (LSTA). These funds are used for statewide projects and competitive local programs which support the goals, priorities and strategies of the *LSTA State Plan for Nevada*. Cooperative, multi-type library projects that improve public access to library and other information are given priority. Grant requests are prioritized by the State Council on Libraries and Literacy and awarded by the State Library and Archives Administrator. To qualify for funding, applicants must meet the Minimum Standards for Public Libraries in Nevada. LSTA information and application forms may be accessed directly on the NSLA website at http://www.clan.lib.nv.us.

Additional funding is frequently provided through the Nevada State Legislature to support statewide projects for demonstrated needs, i.e. library construction and technology for state of the art networking. There is a statutory funding formula for books, library materials, and computer databases in NRS 378.087 (1997). State and LSTA grants are administered by Library Planning and Development in cooperation with the State Library and Archives Administrator. Workshops and consulting are provided to assist local libraries in making application for grants.

Information concerning finances of Nevada libraries may be found in the *Nevada Library Directory and Statistics*, published yearly by the Nevada State Library and Archives. In addition to library listings and statistics, the directory provides contact information for officers of the State Council on Libraries and Literacy and for related boards. Every public library in Nevada has a copy and board members will find it a useful source of information. The directory is also posted on the website at http://www.clan.lib.nv.us.

Statistics are gathered from local public libraries annually and compiled by the NSLA office of Library Planning and Development. The statistics serve as a basis for distribution of funding to local libraries. Nevada library statistics are also reported to the National Center for Educational Statistics. It is important for local libraries to submit statistics according to the guidelines provided to assure accuracy at local, state and national levels.

Private Grants

Private foundations, businesses and corporations may award grants to assist local libraries with programs, services or building projects. Many times the grants are from local or regional organizations or businesses that wish to give something back to their communities.

The Grant Foundation Centers at Las Vegas-Clark County Library District and at Washoe County Library have many excellent indexes and other resources containing private, as well as government grant information.

Gift Funds

A board of trustees has the authority to establish with the county or city treasurer a gift fund for the library. The fund must be separate and continuing and cannot revert to the general fund. "The money in a gift fund of a library may be used for construction of new library buildings, capital improvements to library buildings, special library services or other library purposes" (NRS 379.026)

Library Foundations

Because libraries may receive memorials and monetary gifts, and because of the need for funding outside the traditional methods, it may be a good idea for the library to consider setting up a foundation.

The library foundation functions as a separate entity and can attain 501(c)(3) status from the Internal Revenue Service. Gifts to a foundation are tax deductible to the donor. One factor which makes a foundation extremely attractive is that many foundations will not give to tax-supported agencies, but will give to an organization that will enhance that agency's services and programs.

A source of more information is Forming and Funding Public Library Foundations. This publication is available through the Public Library Association in care of the American Library Association. A foundation may serve as a vehicle for bequests, endowments, memorials, and other forms of "planned giving." Some donors may prefer this choice.

Friends of the Library

Many libraries encourage citizens to establish Friends groups in order to raise funds for special library projects. Friends groups are excellent at attracting publicity and encouraging good public relations and good will for a library. A foundation, described above, may act as a Friends group. The American Library Association publishes Friends of the Library Sourcebook and Friends of Libraries USA (FOLUSA) National Notebook. **Additional information on Friends Groups is found in Chapter 11.**

Budget and Finance

In order to make good decisions, library board members need a basic understanding of library finances. The board has a clear responsibility to ensure that public funds are used in the best interest of the community and that the library has adequate financing to continue its programs and services.

The Budget Calendar

1. The budget process for the next fiscal year begins shortly after the beginning of the current fiscal year; in the course of doing the library annual report, the library director should gather information for the trustees to review in developing the budget. Some questions trustees should ask are:

- Did more people use the library this year?
- Were the prior year's line item costs accurate?
- Is there a need for more programming?
- Have there been requests for new services or technology?
- Are there better ways to serve the community through the library?

2. The library director is responsible for the preparation of the budget request and the board of trustees is responsible for the final approval and adoption of the budget request before it is submitted. Items to consider when setting the budget request include:

- Reviewing the master plan for the library.
- Projecting anticipated expenditures.
- Deciding library priorities.
- Projecting anticipated revenues.

Part of the anticipated revenue includes the amount of funding the library will receive. Trustees are responsible for requesting funds for the library.

3. Budgets of county and city libraries are prepared under the same guidelines as other county and city departments, under the direction of a city or county manager. Library trustees present the budget request to the appropriate body. For county libraries, the board of county commissioners sets the final budget. For city libraries, the board of city supervisors sets the final budgets.

By contrast, in the case of library districts, the board of trustees sets the final budgets which are then submitted to the state Department of Taxation in accordance with their requirements. In the case of a consolidated district, the board of trustees submits the library budget to the board of county commissioners and the board of city supervisors for joint review and recommendation.

Revenues

If your library receives additional funding from federal, state or private grants and gifts or donations, it is important to meet the reporting and auditing requirements of funding sources. These funds may not be co-mingled in the same budget categories as general fund revenues budgeted by cities, counties and districts. As mentioned elsewhere, gift funds must be deposited in a separate fund. While some private grants may be eligible for deposit in the gift fund, many will have reporting requirements similar to those for federal and state funds.

The board of trustees must set a policy on the collecting of fines and fees. NRS 239.052 must be observed in setting fees for copying public records, including board minutes, agenda and exhibits presented at board meetings. The board should also set a fee for all other printing and copying. It is recommended that all of these policies be posted along with the notice on copying public records.

All revenues, including fines and fees, must be budgeted as part of the regular budgeting process and amended in the same way. Cash for fines and fees collected in the library must be acknowledged by receipt and deposited as often as recommended by your auditor, but not less than weekly. Fines and fees must never be deposited in the gift fund. Some cities and counties may attempt to revert fines and fees to the general fund. This can be avoided by appropriately budgeting them as revenue and expenditures. (For protection of the library staff, cash collected for fines and fees must never be treated as petty cash. If petty cash is needed, a separate fund should be established and used as necessary. All withdrawals must be backed up by receipts.)

Auditing

The board of trustees has the fiduciary responsibility for all funds in the public library budget! Cities and counties usually include public libraries in their annual audit. In the case of library districts, or other public libraries not covered by their local governments, the board should budget for an annual audit and review and implement all relevant recommendations annually.

Budget Management

Financial Reports

The library director should provide trustees with monthly financial reports which review:

- Current list of bills.
- Year-do-date figures.
- Total budget.
- Balance of budget.
- Explanation of major changes.

Library trustees should carefully review financial reports and be prepared to question them at board meetings, if necessary.

Budget Process

The budget process serves three basic purposes:

1. Accountability, which is related to the stewardship role of the library; the trustees have a responsibility to safeguard public funds. However, the stewardship role also includes spending the funds needed to provide library services to the community.

2. Financial information, which relates to the management role of trustees and the need for accurate, timely, and reliable information as a basis for effective decisions and library policies;

3. Information from which the public can assess the financial conditions and operations of the library.

Amending the Budget

When the library budget is adopted, it gives the library board the capability of spending all funds budgeted. If the library receives additional income from any source, it cannot be spent unless the budget is amended to include this additional income. No library can spend more than has been budgeted unless the budget is formally amended. This does not apply to library funds maintained in gift funds, by foundations or by Friends of the Library.

CHAPTER 7. Library Board Officers

Board leaders facilitate good group decisions.

Any group that expects to accomplish anything must have leaders to keep the group organized, help the group discipline itself, prod the group to move ahead, and facilitate the work of the group to make good decisions. That's the function of all board officers.

Your board may have some or all of the officers described below. Boards grow from different traditions and have different ideas about the type and number of officers they need. The job responsibilities of your board's officers may vary from those described below.

Someone has to be the board's leader and that person is the board chairperson. The job description for the chairperson is relatively simple, but the job can be complex.

First of all, the board chairperson must be understood to have no power beyond that of any other board member unless the full board has granted that power to the chairperson. For example, the board may delegate specific powers to the board chairperson, such as managing board meetings, speaking to the public on behalf of the board, or signing contracts on behalf of the board.

Any powers exercised by the board chairperson must first be granted by the full board in policy, or in commonly accepted and understood practice of the board. In other words, the board president does not speak for the board unless the full board has formally or informally delegated that privilege to the chairperson.

Board Chairperson Responsibilities:

Planner--Works with the director to plan the meeting agenda and the manner in which the meeting will be conducted. The president keeps an overall view of the board year and ensures that the board is completing duties mandated by board policy or law.

Facilitator--Begins the meetings on time, directs the board through the agenda and adjourns meetings on time. Ensures that all board members have opportunity for fair participation and that the public has an opportunity to comment so that all sides of an issue are fairly exposed, and moves the board to action on the issues.

Delegator--Appoints board members and others to committees with board consent. To do that, the president must have a clear understanding of each board member's skills, strengths and interest so that appropriate assignment can be made. Clarifies committee assignments and holds committees accountable to do the jobs assigned.

Liaison--Interprets board needs and concerns to the director, and the director's needs and concerns to the board, offers personal support and counsel to the director, and serves as a sounding board for the director.

Team builder--Promotes team concept among members. When there is danger to the team structure, the chairperson must mediate, counsel and discipline fellow board members to keep the team intact.

Vice-Chair Responsibilities:

The vice-chair of the board traditionally serves as the backup for the board chairperson However, the vice-chair is usually assigned additional specific duties such as chairing a committee, taking charge of board development activities or preparing for special board events.

The vice-chair must work with the chair to stay current on issues and methods of board operation and be prepared to step in when the chairperson is not available. The vice-chair is often considered the logical successor to the chairperson.

Secretary Responsibilities:

The size and the complexity of the business of today's library dictates that the traditional job of the secretary of the board be significantly changed. For example, the minutes of the board meeting could be taken by a staff member. All board members need to be able to participate in deliberations. It is difficult for the board secretary to do that well while taking the minutes. The board secretary's job may be that of reviewing the minutes for accuracy. Correspondence on behalf of the board may also be done by clerical staff at the direction of the library director.

Treasurer Responsibilities:

The treasurer's job is also one of overseer. Although paid staff usually manage the finances of the library, the board treasurer is responsible to ensure that adequate financial records are kept, accurate and timely financial reports are delivered to the board and an audit of the system's finances is completed bi-annually. The treasurer may also be asked by the director to assist in preparation of the budget to be submitted to the board and to help interpret financial reports to the board.

Board officers, particularly the board chairperson, must be well respected by the rest of the board, must be willing to give the extra time necessary to carry out the extra duties of the office and must have strong leadership skills. Officers should also be board members with some experience on the board. If you are asked to be a candidate for a board office, consider carefully if you have the extra time it will take, as well as the leadership skills, to do the job well.

CHAPTER 8. Library Board Meetings

The art of compromise is the key to effective board meetings.

Regular board meetings and committee meetings are where most of the board's work is done. What you do in meetings can make the difference between an effective or an ineffective board. Poor meetings can alienate staff, damage the board team, waste your time and the time of the other board members, cause turmoil in the community and actually hamper the operation of the library.

Careful preparation is the key to meetings that produce results. Here are a few guidelines for planning and conducting an effective meeting:

- Decide what is to be accomplished.
- Define the purpose in clear terms.
- Develop a written agenda.
- Begin on time, and end on time.

You can expect the board chairperson to run the meetings and keep the board moving toward good decisions. However, it is no less each board member's responsibility to:

- Attend all meetings.
- Prepare well for meetings.
- Take part in all discussions.
- Cooperate with fellow board members to make meetings work.
- Adhere to parliamentary law and to relevant state laws.
- Learn traditional meeting practices of your board and follow them.
- Practice the art of compromise with other members of the team.
- Practice the art of listening and merging your ideas with those of the others.
- Work toward consensus on issues.
- Focus all deliberations on the best interests of library users.
- Publicly support the board decisions.

Nevada Open Meeting Law (NRS 241)

All members of the board should become familiar with the Nevada Open Meeting Law and the *Nevada Open Meeting Law Manual*. In order to strengthen the 1991 law, the 1997 Nevada State legislature has enacted certain amendments to NRS Chapter 241. Take special note of the amended statutes and their requirements. The complete text of the law, along with definitions and answers to common questions are essential reading for all board members.

The Open Meeting Law, requiring that all meetings be held in public, is designed to protect the public from secret dealings by public agency boards. Public notice of regular meetings must be given at least 3 working days before the meeting listing the time, place, and location, where the notice has been posted and an agenda listing specific items to be considered (NRS 241.020., 1997). The agenda must include a clear and concise statement of all topics to be discussed and must identify action items.

There have been challenges to the Open Meeting Law related to library board meetings in Nevada. A thorough knowledge of the law as it is stated in the NRS and abiding by the law should minimize such challenges.

The complete text of the law, definitions and answers to common questions are published by the Attorney General's Office in *Nevada Open Meeting Law Manual*, which should be available at every public library.

Parliamentary Rules

Board meetings should be conducted according to established parliamentary rules, such as Robert's Rules of Order, or some other parliamentary procedure guide agreed on by all board members. That set of rules is intended to set a businesslike and courteous tone, allow for ample discussion of the issues, protect the right of all board members to be heard on the issues, and not allow the discussion to get out of control.

You should have a basic understanding of parliamentary rules so that you can be a part of the process of moving quickly and efficiently through a good meeting agenda. When a disagreement among board members occurs about the way to proceed, consult the parliamentary guide specified by your bylaws. As a "quick help," a one page Guide to Parliamentary Procedures has been included in the Appendix.

Caution: Parliamentary rules are not intended to impede meeting process, but simply to ensure that the rights of all board members are protected and meetings move towards action. Using parliamentary rules for the purpose of impeding the meeting process is unethical and detrimental to the team atmosphere.

Agenda

Your board meeting should run according to an agenda prepared by the director and the board chairperson. The purpose of the agenda is to set a clear direction for the meeting. The board chairperson will ask the board to formally vote to approve the agenda plan at the beginning of the meeting. When the board approves a written meeting agenda, board members agree to discuss those issues on the approved agenda.

Even though the board chairperson and the director prepare the agenda, all board members have a right to place issues on the agenda by bringing those issues to the attention of the director or the board president. However, anything you want on the agenda must be requested well in advance of the board meeting, allowing time for a final agenda to be legally posted at least 3 working days before the meeting.

Socializing with other board members is important to building the team atmosphere, but should be done before and after the meeting, and kept to a minimum during the meeting. Extreme caution should be exercised by board members in avoiding discussion of specific library issues and matters with each other on social occasions, as this may violate the Open Meeting Law.

Minutes

The meeting minutes, when approved by a formal vote or by consensus of the board, are the official legal record of what happened at the board meeting. The minutes are also an important communication between the board and constituents. If you are a new board member, you should examine the minutes of board meetings for at least the past year. That will give you a good perspective on the issues the board has faced and how the board handled those issues.

Any board member has a right to ask the board to correct errors in the minutes before the board accepts the minutes as a record of the previous meeting. Board members do not have a right to demand that their reasons for voting a certain way or their detailed views about an issue be recorded in the minutes. Every board member should have full opportunity to express a viewpoint prior to the vote on any issue, so there's no good reason to extend the debate into the voting process. Your "yes" or "no" vote will represent your views on the issue.

Minutes of Nevada public library board meetings are permanent records which must be available to the public within 30 days after a meeting. Board minutes must be retained by the local library for at least five years, then transferred to the State Archives. (NRS 239.080-125; 241.035)

Reports

During the meeting, the board members will likely hear reports from committees, the director and staff. The reports will provide the background and information the board needs to deal with the issues on the agenda for the rest of the meeting.

Often, the reports will conclude with a recommendation for board action. If those reports were in written form and sent to the board members prior to the meeting, you should be well prepared to take action on those reports without having them read to you during the meeting. Those presenting reports during the meeting will simply highlight information, clarify items, and answer questions.

Motions

A motion is a formal request or proposal for the board to take action. Motions usually come from two major sources, committee reports and director recommendations, but board members may make motions at any time in accordance with the parliamentary guide.

To make a motion, you simply address the chairperson and say, "I move that..." and state the action you wish the board to take. Most motions require that another board member support the request for action by seconding the motion.

Once the motion is seconded, it is restated by the chairperson. The board then begins discussion of the motion. Some motions, such as the motion to adjourn, do not require discussion. By requiring a motion on an issue prior to discussion, the board focuses discussion on agenda items only and stays on track.

After a motion is made and seconded, there should be plenty of time to discuss freely all the pros and cons of any issue. At the same time, the chairperson and all board members must work to keep the discussion moving towards a decision -- that's the reason the issue is on the agenda.

Once the motion has been discussed thoroughly, the chairperson will call for board members to vote on the motion. You may be asked to vote by saying "aye" (yes) or "nay" (no) in a voice vote, by a show of hands or in a roll-call vote. Your vote will be recorded in the minutes.

Abstaining rather than voting "yes" or "no" on a motion before the board should be very rare and is usually appropriate only when you have a conflict of interests in the issue before the board. You are appointed to express an opinion on the issues, and abstaining expresses no opinion.

Once the vote is taken, the chairperson will declare that the motion passes or fails. Upon completion of an item on the agenda, the chairperson moves on to the next agenda item.

Committees

The many and complex issues with which your board works cannot always be handled efficiently by the full board. Many issues may be delegated to board committees for study with the understanding the committees will make recommendations to the full board.

At some time in your service on the library board you will be asked to serve on at least one committee and you need to understand the nature and purpose of committees. Committee work is a good place for board members to offer any special expertise they may have, but service on committees is not limited to experts on the committee subject. Committee service is a good way to learn more about the library.

Often committee members are selected from people outside the board so that additional expertise can be utilized by the board through the committee. Involving non-board members also builds ownership among other members of the public and opens a new avenue of communication between library and community.

Committees expand the capabilities and act as an extension of the board. Committees are always responsible to the full board and have no power or authority beyond what is granted to them by the full board. The only action committees can traditionally take is to study an issue assigned by the full board and make recommendations to the full board about the assigned issues. Board members not on the committee should feel free to ask questions and get clarification from committee members, but avoid repeating work the committee has done. Meetings of the full board should not be used as a time to conduct committee meetings. The purpose of the committee is to save time for the board. If the full board repeats the committee discussions after the committee reports to the board, the board has not saved time but rather doubled the time spent on the issue.

Your board may already have standing or permanent committees that are described in the bylaws of the library and function year round. As certain important issues arise, the board may also appoint temporary or "ad hoc" committees to study those issues for the board.

At certain times, the board may meet as a committee of the whole. This is done to allow time for in-depth discussion of one subject. The issue is then presented as a committee report at the regular board meeting where formal action is taken.

Your board may also have an executive committee. This committee is usually composed of the board officers and the director. It often has limited powers to act for the board in emergencies, but must have all actions ratified by the board at the next regular meeting.

When you are appointed to a committee, it is your responsibility to learn the mission of the committee, when and where the committee meets, and the names of other members. You should also examine the history of the committee and the minutes of their meetings for at least the past year.

Help your committee stay focused on its responsibility and accountability to the full board. Although committee meetings are usually not as formal as a full board meeting, they should have a chairperson, a distinct structure, agenda and goals. When the committee completes its meeting, there should be a clear result of the meeting that can be reported to the full board.

Committees are given the charge to study and recommend, not to make the board decision. Committees are a valuable extension of the board, but only if they work in an orderly and accountable fashion. Committees, as described in this chapter, are subject to the Open Meeting Law.

CHAPTER 9. The Decision Making Process

Good decisions aren't made "by the seat of your pants."

Your board team will have to make dozens of decisions all the way from deciding meeting times to deciding to build a new building.

Good decisions are made through a logical, common-sense process that includes plenty of pertinent information, expert advice, experience, vision and exchange of ideas among members of the board team.

Politics, special interests and personal bias are realities that always come into play when a board attempts to make a team decision, but with a well-understood and followed decision-making process, those elements can be controlled and the board team can make good decisions.

The following steps will lead to effective board decisions:

Define the issue clearly. First make sure that all members of the board team are on the same channel. You could deliberate for hours an issue that deserves only a few minutes if all board members aren't clear about what the issue really is. The best way to avoid that is to get a motion on the table right away so everyone can focus on that specific motion. The chairperson should make it clear to all what a positive or a negative vote means. If you are not clear about the intent or meaning of the motion, ask the maker of the motion to clarify.

Look at the information. Good information is the only way a board team can understand enough about the issues to make good decisions. Your experience is a prime source of valuable information. Other board members will have valuable information and insights.

Board members are not on the front line with the daily business of the library and probably have limited expertise in library management. That means you have to rely on information from a variety of other people. The director and committee reports are standard sources for information about the issues that come before the board. Call on outside experts when necessary.

Board members aren't appointed for their expertise and experience in running a library, but rather their ability to ask the right questions, draw upon their experience and leadership skills and make good, informed decisions for the benefit of the library and community.

Consider the alternatives. Approach every issue with an open mind, believing that there is more than one side to every issue. What seems obvious at first glance may prove to have serious consequences down the road. Play the "devil's advocate," ask tough questions and encourage other members of the team to voice opinions even though they may not agree with the majority.

Even a strong recommendation from the director or a board committee should not be accepted without a hard look at the possible alternatives. The director and committees should be expected to deliver a list of alternatives they have considered in arriving at their final recommendation.

Seek assistance. You should expect a recommendation from your director on all issues before the board. Never be afraid to seek help from outside the board from attorneys and other specialists who can help you make the decision. Just remember that no matter who recommends what or who advises you how to vote, the board has the ultimate responsibility and liability for the decisions they make. You can't blame others for your poor decisions.

Keep in mind your mission and goals. All that you do should be in line with the mission of the library. Every decision the board makes should be in line with the five year masterplan of the library and somehow advance the mission. You should also be able to say that every decision is for the greatest good of those who use the library.

Project the consequences. This is where the board member's vision comes in. A board decision cannot be made in isolation from all other things going on in the library. You must consider how this decision will affect people, programs and plans. How will the community be affected by your decision? Are there possible legal problems with this decision? Will a decision to spend money in one area mean that less money will be available for other areas?

A decision today could well have consequences for years to come. For example, a decision to build a new building would be very short-sighted if it did not take into consideration the cost of upkeep and maintenance for the life of the building.

Vote. This is where you put it all together and voice your own individual decision on the issue. Set aside personal bias and emotions and cast the vote for what you think is the best decision for the library.

Some Roadblocks to Good Decision Making

You and your board will not always make the best decisions because there are sometimes roadblocks waiting for you. Understanding the roadblocks will help you make more good decisions than bad ones.

Poor information is a major cause of poor board decisions. Not asking the right questions, listening to the wrong people or simply letting your ego lead you to believe you know all you need to know about the issue, can lead quickly to a poor decision. Plenty of good information is your first line of defense against poor decisions.

Not allowing time for good deliberation of an issue will result in a poor decision. Cutting off debate before all board members have a good opportunity to discuss the issue may deprive the board of insights needed for a good decision.

Pressure from individuals or special interest groups often results in poor decisions from board members who simply want to get out from under the pressure--no matter the cost. The key to removing this roadblock is a policy that says we listen to all segments and then make all decisions based on what's best for all who use the library.

Emotions often trip up trustees and lead to poor decisions. At some time most boards will have heated debate over an issue. But board members must recognize when debate has gone beyond spirited discussion and fallen into a personal attack, anger and argument. When that happens, it's time to break or table the issue until all cool down. Voting on an issue when board members have forgotten the facts and are operating on emotions will result in a poor decision.

Many of the decisions your board team makes will be done by consensus. Consensus simply means that all board members accept a decision on an issue even though each board member may not completely agree with the decision. Compromise is at the heart of arriving at consensus on any issue.

CHAPTER 10. Planning for the Library's Future

Failing to plan is planning to fail.

The purpose of planning for the library's future is to anticipate both opportunities and problems. Planning involves the following basic questions:

- What is our purpose?
- Where are we now?
- Where do we want to go?
- How will we get there?
- What is the optimum time frame for achievement?
- How will we know what we accomplished?

What is our purpose?

The library mission should be expressed in a brief statement of the library's purpose which sets the focus for planning. It is based on, but not limited to, a vision of the library's roles in the community. While somewhat general, the statement should summarize the library's major areas of emphasis.

Where are we now?

Before you can plan for the future, you must know where you are now. The background, history and trends of the library system must be explored before effective goals and objectives can be developed.

Facts and figures about the library system service and operation, service area population, and library trends are important. Input from the library director, staff, friends of the library, and the general public is essential. To successfully plan for the future, trustees must have the benefit of hard facts, professional insight, and public interest.

Every library board has a fundamental duty to develop an effective library plan. A good plan becomes a road map for the library. It assists the board and the director in making reasoned decisions that are the best ones for the community being served. It also publicizes the library's priorities and its vision of the future.

The plan should reflect intense examination of the following questions:

- How is the library meeting the identified needs of the community?
- What are the economic, political, and cultural factors that impact library services?
- What trends can be identified as being significant to the library?
- What roles should the library play in the community?
- Where should the library be in the future?
- What is the mission of the library? What are the goals?
- What steps should be taken? Who has responsibility for each step?
- How will the board determine when the plan has succeeded?
- What measurements will be used?

Planning involves looking at what is possible and considering a wide range of alternatives. Open-mindedness and creativity are paramount in developing a plan which will direct the most effective use of library resources. Board members must keep in mind the present and future needs and the values of the entire community served by the library. Planning is a board/director partnership. Obtaining input from the members of the public, as well as from staff, is critical. The director and staff must have strong involvement in the formulation of the plan.

Where do we want to go?

The library's mission should reflect identified needs of the people in the community. Goals and objectives describe the conditions which must be achieved in order to support the library's mission. Both goals and objectives describe what the library should accomplish, not how it will accomplish those results.

Goals are general, non-measurable descriptions of conditions or accomplishments which will support the library mission. Goals are generally not time limited and often are not expected to be fully accomplished.

Objectives are specific, measurable, time-limited descriptions of desired results. Achievement of objectives will be the basis for assessment of success in meeting library goals.

How will we get there?

Activities are specific steps which will be taken in order to meet stated objectives. The activities will state how each objective can be met. For every objective, a number of possible activities should be identified and analyzed. The analysis should include the potential impact of each activity on the objective, the likelihood of success, and the cost and impact on other library activities. One or more activities should be selected for each objective.

What is the optimum time frame for achievement?

Strategies must be carefully developed for carrying the overall plan into effect. Divide the selected approach into steps and map out the time frame for accomplishment. Assign priorities for essential steps and desirable steps, keeping in mind which activities must be completed first to form a foundation for others. Another important consideration in strategic planning is timing relative to other community priorities, trends and programs. This ranking will dictate allocation of time, effort and funding.

How do we know what we accomplished?

After the plan has been finalized and implemented, the planning process shifts to review and evaluation. The board will monitor the plan's progress. Have any goals been accomplished? Are parts of the plan out of date and in need of amendment? Are there new elements that need to be added to the plan? What is the impact on community and individual needs? Your plan should include performance indicators and output measures by which success may be gauged in terms of meeting specified needs. Plans are not set in stone. They are dynamic documents and at times it is necessary to change them in relation to changing needs. While mission statements are not apt to be changed for a long time, goals, objectives and action statements are likely to be altered in the review process.

Nevada Public Library Boards of Trustees not only should be planning for the future, but are **required** to plan by state law. Nevada Revised Statute 379.003 states that "The governing body of every public library in this state shall develop, through a continuing process of planning, a master plan for the library or libraries for which it is responsible, including plans for levels of library services and resources, and shall submit the plan to the State Council on Libraries and Literacy. The master plan must be designed to extend 5 years into the future and must be made current at least every 2 years. (Added to NRS, 1981, A 1993)

This statute is echoed in the MINIMUM PUBLIC LIBRARY STANDARDS FOR NEVADA which state that "The Library Board of Trustees shall have a written master plan of service covering five years and update it every two years."

The NSLA office of Library Planning and Development provides consulting services for planning upon request from Nevada public libraries. A comprehensive guidebook and a 328 page manual on *Planning for Results* have been developed under the auspices of the Public Library Association. These resources may be ordered from the American Library Association (1-800-545-2433; press 7).

Planning Library Facilities

The construction or renovation of a library building is one of the most exciting and ambitious projects that a Board of Trustees undertakes. Careful planning is essential to a successful building program.

The initial step is the formation of a building committee composed of individuals whose expertise is needed. The basic building team usually consists of the library director, selected staff and board members, appropriate government officials, library users (and later) an architect and building contractor.

The Building Committee prepares a "Building Program" which is a narrative describing a collective vision of the type of facility needed, based on a detailed summary of community demographics in the library's service area, statistics on current services, and specifics on the roles and functions the library serves. It will also include projected needs for space and furnishings and diagrams of departmental interaction. The Building Program is a major tool which creates a "word picture" to be used by the architect in drafting a design that will meet community needs.

Hiring the right architect is the most critical step in a successful building project. An architect with experience in library design who can communicate effectively with the Library Building Committee is highly desirable. The architect needs a great deal of input from the team before beginning to draft plans to meet specified needs.

It is not possible to over-prepare for a building project. The Building Committee should be functioning many months in advance of selecting an architect. In the long run, clarity in describing what is needed can save time, energy and money. Although building projects can be time-consuming and frustrating, they allow the library board and staff to take on the exciting challenge of planning for the community's future library services.

Because a library board and staff will not have the necessary expertise to deal with all aspects of a library building project, outside consultants may be used to provide specialized guidance. Consultants can suggest procedures, prevent mistakes, introduce new ideas, and sometimes defuse controversy. Some types of consultants whose services may be needed are:

Library Building Consultant	Attorney
Library Services Consultant	Architect
Automation Consultant	Certified Public Accountant

The Library Board should draft a "Request for Proposal" (RFP) for potential consultants to review needed services. After a bid is selected, a contract should be entered by the Board and the consultant before any work begins.

CHAPTER 11. Library Advocacy and Public Relations

An effective trustee promotes the interest of the library at all times.

As a trustee, you must have a deep personal commitment to your library and the services it provides. You must have a sense of what you want your library to be in the future, not just what it is today, and you must be willing to work to help move forward to that point. The trustee who has the deep personal commitment to the library is well on the way toward being a good advocate.

As a trustee, you will come to appreciate the concept of libraries as an integral part of our society. Our entire educational process depends, to a great extent, on the quality of information services. Libraries are not only part of our present society, they are a part of our history which has helped move society forward. They are the hope for an informed future. They serve the societal good. When you advocate better public library services, you advocate better quality of life for American citizens today and in the future.

As an advocate for libraries, you must be willing to go out into your community on behalf of the library. All communities served by public libraries consist not only of library users to whom the trustee must respond, but also of citizens who pay taxes to support the library but do not use it. You must recognize the entire community and be prepared to work with groups as well as individuals. This means not just waiting for an invitation, but aggressively pursuing opportunities to speak before various community groups.

You are expected to know enough about your library to be able to respond to queries and to articulate just what the library has to offer. You must have a clear idea of how your library fulfills community expectations and values and be able to "tell the library story" to illustrate this in a meaningful way.

To be an effective advocate you must understand the different roles and responsibilities of librarians and trustees and do everything possible to work together meaningfully to develop and promote a comprehensive library program. For example, at a county commission or city supervisors meeting it is appropriate for you as a trustee to present and support the library's programs and budget, and for the librarian to be there to answer technical questions regarding services. The more you understand your library's roles, the better advocate you will be.

A successful advocate can bring new users into the library, bring new revenues into the library, and increase awareness of library services. Legislators have been known to see the public library from a new perspective after speaking to an effective trustee advocate. Remember, the reason you were appointed to the library board is because you have the ability to help improve the library's services. The people to whom you speak may be motivated to write a bequest to the library in a will, ask a corporate officer

to consider a donation to the library, or speak to state or federal legislators on behalf of the library.

Your advocacy for the library will take different forms, including establishing a relationship with the mayor, city manager and supervisors and/or the county manager and county commissioners, and state legislators. You will also be expected to communicate the value of library services to the taxpayer. Your advocacy efforts will generally be part of a planned board effort. The board must speak with one voice. You, as an individual board member, can speak about the board's official position on library-related issues. An effective trustee promotes the interest of the library at all times.

Finally, as a trustee advocate, you will be a defender of intellectual freedom, and of an individual's right to information. That includes, but is not limited to, firm support of the American Library Association's Freedom to Read Statement and Library Bill of Rights. (Both documents are included in the Appendix.) One of the questions frequently asked of library trustees (usually in open forum) is whether a particular book or other item should be in the library's collection. The response must be unequivocal in defense of intellectual freedom. You must explain that the role of the library is to provide materials in response to the needs of all segments of the community and (when available) to provide information on all sides of a given issue.

Communicating to the community about library services and programs is of great importance. The library system was established to serve the community, but if citizens are not aware of this resource, then the services remain unused.

Public relations is more than sending press releases announcing board meetings or operation hours. Public relations involves educating and informing distinct groups in the population about the programs, services, needs and opportunities offered by public libraries.

Increasing library visibility and, therefore library usage is an important function in which the library director and trustee must work together. Trustees enjoy unique opportunities to serve as liaisons between the public and their library, translating community needs into improved policies and programs and keeping in mind their role as a good will ambassador building awareness and support wherever possible.

The various responsibilities can be placed in two categories:

Board responsibility is to:

- Establish a public relations policy.
- Make sure there is a public relations plan and a budget for public relations activities.
- Participate in public relations events and evaluate your library's P.R. activities.
- Encourage staff involvement in public relations.

Individual trustee responsibility is to:

- Be vocal, visible and well-informed -- use your library and spread the word about its services and successes.
- Look for opportunities to build a positive image for the library.
- Tell people about the library's programs, progress and plans.

Library board trustees, both individually and collectively, can improve the public's knowledge and awareness about the library program by:

- Speaking to various groups, individuals, and organizations, (civic, business, professional, and social) about library programs, services, and facilities.
- Finding out the community's reaction to the library and its services, including program suggestions and other improvements, and relaying these ideas back to the director.
- Standing up for the library's needs when funding is discussed and as communities plan for public services.
- Writing or calling your local, state or national public officials.
- Bringing newer members onto the board and assuring broad community representation on the board.
- Encouraging the development of Friends of the Library and volunteer programs where suitable, and stimulating programs and services involving a variety of groups in the community.

A strong library system is an important part of the infrastructure of any community. A proactive communications plan helps business leaders, economic developers, public officials, and the general public remain aware of library services and resources. Public and community relations can become the means by which a trustee's community knows, appreciates, and uses the public library to the fullest extent. **More can be found on Library Advocacy in Chapter 2.**

Friends of the Library are volunteer organizations formed with the agreement of the Library Director and Board of Trustees. Friends' groups expand the circle of contacts in the community begun by trustee board members. Often, it is from these loyal supporters of libraries that trustees are chosen. Friends extend great enthusiasm, eagerness and assistance in a variety of ways.

Typical functions of Friends of the Library groups include:

- Economic aid to the library--fund raising or purchase of materials for the library.
- Volunteers to assist library staff .
- Grass root support of political action in support of the library.

Friends groups differ from library to library. In every case the Friends organization and library organization are essentially different and distinct and thus their roles are also distinctly different. They exist to promote the library. However, all involved must understand that Friends do not make policy.

Trustees should assist Friends groups and support activities by providing leadership to:

- Develop policies on Friends and volunteers.
- Work with the library director to draft procedures and regulations.
- Meet semi-annually with Friends board to plan and define goals for the group.
- Invite and welcome Friends to trustee board meetings.
- Attend Friends' board meetings and special events.
- Appoint a special trustee representative as a liaison to the Friends group.
- Provide information and ask for input.

Friends of Libraries USA (FOLUSA)

FOLUSA provides help to motivate and strengthen local libraries by:

- Assisting in developing Library Friends groups.
- Providing guidance, education and counsel.
- Serving as a clearinghouse for information.

You may contact FOLUSA by calling 1-800-9FOLUSA.

Volunteers from Friends Groups or other sources may be extraordinarily useful in libraries. Successful volunteer programs are most productive when they are:

- Planned and approved by the staff and board of trustees.
- Clear about work descriptions, the status of the volunteers and the expectations, including regular hours and consistent service and supervision.
- Mindful of need for recognition and appreciation of volunteer work
- Realistic expectations of hours, types of work to be done and training required.
- Open to the community, but on the basis of specific job descriptions and capacities of volunteers to fill the jobs.
- Structured to provide recognition and appreciation of volunteers.
- Regularly evaluated.

Cooperation and support by the library trustees is vital to a sound volunteer program. Trustees should show appreciation for good volunteer assistance.

Lobbying is the public relations term describing activities related to presenting information to governmental authorities or entities. It is essential for board members to know the political process and to learn ways to affect decision-making. The public library is irrevocably involved with the governmental authorities of the community. The Nevada Revised Statutes allows libraries to be created in several ways and the powers and responsibilities of the library board are specifically outlined for each. Even though the board has governance obligations, the public library will still be dependent on the local legislative body, and occasionally the state legislature, for funding. Board members can be the most effective lobbyists for the library at all levels--local, state and federal.

Contact must be continuous with the local authorities, both on an informal basis and with formal written reports and oral presentations at meetings. Board members should communicate in a consistent and timely manner by:

- Getting to know the local authorities and telling them what libraries do for constituents.
- Preparing facts and statistics and translating them into visible action.
- Preparing evidence of the need for legislation or funding.

Many boards invite representatives of the local government to a special meeting either annually or biennially. The local library is introduced as it currently operates and its policies and long-range plan are discussed.

Board members should involve the community -- Friends' group, library users, civic groups and business contacts -- to help put library issues before the voters and governing officials in an effort to gain favorable public sentiment.

In lobbying for state and federal action, the board should work closely with other trustee boards and Friends of the Library groups and with the Nevada Library Association and the American Library Association. Both associations have established legislative networks to notify interested parties of pending legislation and the need for immediate contact with legislators or other authorities. Many boards select one of their members to act as the local liaison to the networks to eliminate confusion when immediate action is called for by the state or national coordinator. Lobbying on library issues is putting your role as a library advocate in the forefront.

CHAPTER 12. Nevada Library Agencies and Associations

Nevada State Library and Archives

Mission Statement

The Nevada State Library and Archives serves government, business, libraries and citizens by providing a full range of information services, including reference and research; archival and records management; library planning and development; blind and physically handicapped programs; literacy programs; and development for state information policy to ensure public access to government information in all formats.

Agency Background

On November 29, 1861, the First Territorial Legislature created the function of the library. On February 14, 1865, the First State Legislature created the Nevada State Library. The archival role was officially identified in 1965 by the legislature and with public records these functions were administratively combined with the State Library by legislative action: Archives in 1979 and Records Management in 1983. In 1985, the agency's name was formally changed by the legislature to The Nevada State Library and Archives (**NSLA**) to reflect the expanded duties and responsibilities. (Nevada Revised Statues Chapter 378, 379, 380A and 239). In October, 1993, the agency became a division of the Department of Museums, Library and Arts.

The purpose of the agency is to provide reference, research, archival and records management services to public officers and their staffs. This function is extended to state and local government agencies, other libraries and researchers. The NSLA also coordinates the development of statewide plans and activities to enhance access to all types of information. The State Library and Archives Administrator is responsible for directing all functions of the agency, its services and operations.

Agency Overview

Library Planning & Development (**LPD**) coordinates statewide development of library services. LPD administers federal, state and private grant operations, provides public library consulting services, collects public library statistics and publishes the *Nevada Library Directory and Statistics*. The Regional Library for the Blind and Physically Handicapped in Carson City and Las Vegas are also part of Library Planning & Development.

Public & Technical Services (**PTS**) provides for the informational research needs of government agencies, libraries and researchers. This includes developing, maintaining and facilitating access to state and federal government documents collections, census data, Nevada and Reference collections. PTS also manages a legislative telephone hotline throughout each legislative session.

Archives and Records Management (**ARM**) acquires, preserves, organizes, maintains, and makes government records available for use at state and local levels. This includes the development of appropriate policies and procedures, proposed legislation and public outreach. Micrographics is also a function of ARM.

The Nevada Literacy Coalition (**NLC**) coordinates statewide literacy efforts and provides training, consultation and public outreach. A State Literacy Resource Collection is available to literacy program managers, tutors and students.

The Cooperative Libraries Automated Network (**CLAN**) is a growing consortium of library systems operating under a cooperative inter-local agreement which is administered by the Nevada State Library and Archives. Network members share a central computer system which supports library management functions, including circulation, inventory control, bibliographic and online catalog services.

Nevada State Library and Archives publishes a newsletter twice yearly, *InfoConnection*, which provides information about the Nevada State Library and Archives, including administration of **LSTA** funds. *ML&A, Department of Museums, Library & Arts* quarterly newsletter also features articles of interest to librarians, trustees, and library constituents.

State Council on Libraries and Literacy (SCLL)

SCLL members are appointed by the Governor in accordance with the Nevada Revised Statues (Chapter 380A). The membership consists of eleven members who represent public, school, academic and special or institutional libraries; persons with disabilities; state labor organizations; private sector employers; library users; volunteer, private or community based literacy organizations; and a classroom teacher who has demonstrated outstanding results in teaching children or adults to read. The directors of the following state agencies (or their designees) serve as ex officio members of the council: Department of Museums, Library and Arts; Department of Education; State Job Training Office; Department of Human Resources; Commission on Economic Development; and Department of Prisons. Officers of state government whose agencies provide funding for literacy services may be designated by the governor or the chairman of the council to serve whenever matters within the jurisdiction of the agency are considered by the council. The governor shall ensure that there is appropriate representation on the advisory council of urban and rural areas of the state, women, persons with disabilities and racial and ethnic minorities.

The Council advises the State Library and Archives Administrator on matters concerning the development of libraries and literacy programs in Nevada. One of its primary tasks is to review grant applications from public and other libraries seeking financial support from federal and state sources of funds and to advise on priorities for funding. To accomplish this, Council Members consider the status of Nevada's library

development, trends of growth, adherence of local libraries to minimum standards, certification of librarians, services to special populations and other elements of library and literacy services. In addition to the federal Library Services and Technology (**LSTA**) funds, the State Legislature provides formula funding for collection development in public libraries and periodically appropriates additional state funds for Nevada libraries. The State Library and Archives Administrator coordinates closely with all state agencies with programs related to libraries and literacy to optimize services to all Nevadans.

Nevada Library Association

Beginnings and Purpose

The Nevada Library Association (**NLA**) had its beginnings with a small group of librarians meeting in Reno in 1946 to discuss the possibility of forming a state library association. A letter was drafted and sent to other librarians in the state. Interest grew and the first association **Constitution** was adopted June 4, 1946, stating that the object of the association "shall be to promote library service and librarianship." Changes to the **Bylaws** in 1977 expanded the purpose of NLA:

Article II. Purpose: The purpose of NLA shall be to promote library service of the highest quality for all present and potential users of libraries in Nevada. NLA is organized and operated for educational and library purposes, no part of the net earnings of which insures to the benefit of any private individual or member.

Structure of the Nevada Library Association

The Nevada Library Association has an elected president and a board of trustees. The board of trustees consists of the president, the president elect who serves as vice president, the executive secretary, the treasurer, the immediate past president, and one representative from each of the three districts and each of the three sections of the association. Advisory, nonvoting members are the State Library and Archives Administrator, the library representative of the Nevada State Department of Education, and NLA delegates, if any, to national and regional organizations.

There are three districts, organized geographically within the state: the **Southern District**, the **Northwest District** and the **Northeast District**. Each district reflects the interests of all groups within the boundaries of the district and each is governed by its own rules of procedure, in accordance with the Bylaws of the association..

There are also three sections within the Nevada Library Association, each section reflecting specific types of library services within the state:

1. The Nevada School and Children's Library Section (**NSCLS**) has been influential in changing legislation relating to school libraries and adding to the curriculum for school librarianship within Nevada's university system.

2. The charge of the Public Library and Trustees Organization (**PLATO**) is to promote and foster the development of public library services in Nevada by providing training events for public library personnel and trustees.

3. The stated purpose of the Nevada College and Research Libraries (**NCRL**) is to promote library service of the highest quality for all present and potential users of academic and special libraries in Nevada.

Various interest groups have served at different times and stages in Nevada's library history. Current NLA interest groups include: All Classifications Teamed in One Network (**ACTION**), Collections, Automation, Preservation, Technical Services & Acquisitions in Nevada (**CAPTAIN**), Government Documents Interest Group (**GODIG**), Nevada Networking/Automation Group (**NNAG**), Nevada Young Readers' Award (**NYRA**) and Reference and Information Searchers of Nevada (**RAISON**).

Much of the work of the NLA is carried on through a variety of committees, including a Government Relations Committee which works with the State Library and Archives Administrator to develop, support and monitor library-related legislation. During biennial Legislative sessions the NLA sometimes supports the partial time of a Lobbyist to monitor library legislation and represent Nevada library interests at committee meetings and hearings.

Nevada Library Association Annual Meeting

Each year NLA sponsors an annual meeting, usually three or four days in the fall, providing a variety of educational opportunities for a nominal registration fee. Each section and interest group sponsors at least one program or workshop, resulting in a wide variety of topics from which attendees may choose. The overall event also provides opportunities for library staff, trustees, and others to learn about new developments in the field of library and information science, and to network and gain ideas and motivation for improving library services. Some local libraries support trustee membership, along with registration and travel expenses for participation in the annual statewide meeting. As a Nevada library trustee, you are encouraged to become an active member of the Nevada Library Association.

Glossary

The profession of librarianship has a language all its own. Understanding these terms and acronyms will help trustees and librarians communicate!

AACR2: Anglo-American Cataloging Rules. The standard set of rules for cataloging used by many libraries in the U.S., Canada, and Britain.

ACCESS: Availability of the library and its services to residents of an area served. In a larger sense, the ability to reach sources of information through a library and its cooperative links to other sources

ACCREDITED LIBRARY SCHOOL: A college or university offering instruction according to recognized standards and officially accredited by the ALA.

ACQUISITIONS: The activities related to obtaining library materials by purchase, exchange, gift, or other means. New items received are often publicized to users in an acquisitions list.

ACRL: Association of Colleges and Research Libraries, a division of the American Library Association.

ADA: Americans with Disabilities Act. This Act gives civil rights protection to individuals with disabilities; it impacts libraries as service providers and as employers.

ALA: American Library Association. The national association serving the interest of libraries.

ALTA: American Library Trustee Association (Division of ALA devoted to the concerns of library trustees).

ASSESSMENT: In Nevada, the process of determining the value of real property for the purpose of providing a base for the tax levy of governmental units.

AUDIOVISUAL: Applied to materials other than printed, i.e. tapes, films, records and slides.

BIP: Books in Print. A listing available as a multi volume print set or on CD-Rom of currently available titles used for ordering books.

BOOKS AND MATERIALS SELECTION: The process of deciding what books, periodicals, records, films, etc., should be bought for the library. Selection should be based on policy adopted by the board of trustees, funds available, and the goals and objectives of the library.

BRANCH LIBRARY: An auxiliary library with separate quarters, a permanent basic collection of books, a permanent staff and a regular schedule, under the administration of he central library.

CALL NUMBERS: The classification number on an item of library material used to mark the item, shelve it properly, list it in the card catalog or computer and find it for a user. The Dewey Decimal and the Library of Congress are two classification systems.

CATALOG: A file of bibliographic records created to describe the materials in a collection, a library or a group of libraries. It may be in the form of a card catalog, a book catalog, or an online catalog.

CATALOGING: The process of physically describing library materials, for example, a book so that it can be listed in a catalog and located on a shelf for use by patrons.

CD-ROM: Compact Disc-Read Only Memory. A permanent file in compact disc format. Information databases and various types of media may be acquired in this format.

CERTIFICATION: A program providing for certification of a librarian in Nevada, targeted to public libraries serving a population of under 50,000 which do not have a person with a graduate library degree performing duties as administrator, reference, and children's librarian.

CIRCULATION: The activity of a library in lending books and other materials to borrowers and keeping a record of such loans.

CLAN: Cooperative Libraries Automated Network is a growing consortium of Nevada library systems operating under a cooperative inter-local agreement to provide automated access to information. CLAN provides circulation, inventory control, online catalog, and bibliographic cataloging services to members.

COLLECTION: A group of library materials having a common characteristic, such as Reference Collection, Nevada Collection, etc. This term may also refer to the library's entire holdings.

COMPETITIVE WRITTEN BID: Bid submitted on a bid form furnished by the buying library system and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor.

COOPERATIVE: Any joint effort by two (2) or more public library systems to improve library services.

COPYRIGHT: The exclusive privilege of publishing and selling a work granted by a government to an author, composer, artist, publisher, etc. Libraries have a special interest in fair use of copyrighted material.

DATABASE: A systematic organization of information stored in a computer file for searching and retrieval.

DEWEY DECIMAL CLASSIFICATION: A method of classifying library materials dividing all knowledge into ten classes arranged in numeric sequence and further divided by a decimal system. Developed by Melvil Dewey (1851-1931).

DMLA: Department of Museums, Library & Arts, an umbrella department under which the Nevada State Library & Archives, Nevada State Museums and Historical Societies, the State Historic Preservation Office, and the Nevada Arts Council are divisions.

E-MAIL: Electronic mail. Messages sent through a communications network from one computer to another.

END USER: A library user who requests and uses information obtained from an online search.

FLSA: Fair Labor Standards Act. Establishes minimum wage, overtime pay, record keeping and child labor standards.

FOLUSA: Friends of Libraries U.S.A.

EEOC: Equal Employment Opportunity Commission

FTE: Full-time equivalent. Used when budgeting and reporting library employees.

FY: Fiscal year. Used in budgeting.

GPO: U.S. Government Printing Office. The official federal government document depository. Some libraries in each state are designated as official depositories for GPO.

ILL: Interlibrary Loan. Originally a library borrowing from another in order to serve the user. Now a system of interlibrary cooperation which allows libraries to obtain information and materials for their users.

IMLS: Institute of Museum and Library Services. Federal agency which administers programs and funding to museums and libraries, including LSTA funds.

INTERNET: An international computer network that allows connections with various computer systems and other participating libraries.

ISBN: International Standard Book Number. A unique identification number printed in books by international agreement.

JOBBER: A company that supplies many titles from different publishers and producers and sells them to libraries and retailers.

KEYWORD: A word used during an information retrieval search to find a particular word in an author, title, abstract or subject field.

LAMA: Library Administration and Management Association (Division of ALA).

LC: Library of Congress. The national library in Washington, D.C. which serves the U.S. Congress and other libraries and supports a variety of library programs.

LC CLASSIFICATION: A subject classification system devised by the LC that divides knowledge into 21 subject areas and has a notation of letters and figures that allows for expansion.

LSTA: Federal law which provides funds to be distributed by the Institute of Museums and Library Services.

MARC: Machine Readable Cataloging. A standard format for computer data about library materials, originated by LC and now prevalent around the world.

MLS: Master's degree in Library Science. A graduate degree for a professional librarian accredited by the American Library Association..

MPLA: Mountain Plains Library Association.

NEON: Nevada Education Online Network. A statewide electronic information resource that provides access to a variety of information resources, including catalogs of other libraries from around the nation and various indexes to journals and magazines across the disciplines. Maintained at the University of Nevada, Reno.

NEVADA LIBRARIES: Quarterly publication of the Nevada Library Association.

NLA: Nevada Library Association

NCRL: Nevada Colleges and Research Libraries (Section of NLA).

NREN: National Research and Educational Network was created by federal legislation to provide one master national computer network.

NRS: Nevada Revised Statutes.

NSCLS: Nevada School Libraries and Children's Services (Section of NLA).

NSLA: Nevada State Library and Archives

OCLC: Online Computer Library Center, Inc. A nonprofit membership organization offering computer-based services to libraries and other educational organizations.

OIF: Office for Intellectual Freedom of the American Library Association.

ONLINE SYSTEM: Connection of a distant user terminal to a central computer through a continuing communication hookup.

PATRON: A person who uses the library.

PER CAPITA: By the head. Refers to allocation of funds based on population or service statistics calculated by the person.

PUBLIC LIBRARY: A library which provides general library services to all persons in a given community, district, or region. It is supported in whole or in part by public funds.

PLA: Public Library Association (Division of ALA).

PLATO: Public Library and Trustee Organization (Section of NLA).

RECORDS MANAGEMENT: A section of the Nevada State Library and Archives that schedules records of public agencies for retention and disposition. Records cannot be legally disposed of unless they have been scheduled.

SERIALS: Publications such as magazines, newsletters and journals that are published in sequence. So-called because they carry serial numbers indicating volume and issue.

SHELF LIST: A kind of catalog or inventory of items as they appear on the library shelf. Useful for inventory.

SYSTEM: A library made up of more than one service outlet, usually administered from a central location, i.e. branches of a rural or urban library, a cooperative agreement among several different library entities, a contractual agreement among a library and several counties.

TECHNICAL SERVICES OR PROCESSING: All the activities related to obtaining, organizing and processing library items and maintaining them with repairs and renovation.

TRUSTEES OF THE LIBRARY: The legal term used in Nevada for those appointed local officials who govern the public library.

VERTICAL FILE: A collection of pamphlets, clippings, and/or pictures kept in a filing cabinet and arranged for ready reference, generally by subject.

WEEDING: Removing from the collection books and other library materials no longer up-to-date or useful to the users of the library. Weeding keeps a collection current and provides ongoing evaluation of the library's materials and use.

WHCLIS: White House Conference on Libraries and Information Services.

SUGGESTED READINGS

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APPENDIX

JOB DESCRIPTION FOR NEVADA PUBLIC LIBRARY TRUSTEES

Legal responsibility for all operations of the library:

Participate in all library board meetings and serve on related committees.

Hire, evaluate, and, if necessary, dismiss the library director.

Manage all library property, real and personal, in the public trust.

Review and adopt written policies and establish bylaws and regulations for management of library and board.

Fiscal responsibility for providing quality library services:

Participate in local government and serve on selected committees.

Negotiate with appropriate authorities to secure adequate funding for library services.

Provide facilities, resources and trained staff to meet the library needs of all residents.

Review and approve budget annually, submit quarterly reports to governing entities, and provide additional information upon request.*

Leadership responsibility for securing future library services:

Lead a strategic planning process to update library master plan every two years. Evaluate progress in relation to stated objectives.

Be proactive in exceeding Minimum Public Library Standards for Nevada.

Be aware and knowledgeable of community demographics, needs and interests.

Speak on behalf of the local library at meetings of community organizations.

Advocate for the library at all times and play an active role in state, regional and national committees, workshops and conferences.

A public library trustee is responsible for the legal governance of public libraries in Nevada as stated in NRS 379. *District library trustees must comply with all fiscal regulations as stated in NRS 354.470-354.626.

STANDARDS FOR NEVADA PUBLIC LIBRARY TRUSTEES

Legal responsibility for all operations of the library:

Participate in monthly library board meetings and serve regularly on related committees.
- ➢ Attend meetings regularly with no more than 3 exceptions yearly. (NRS 379.020.5)

Participate in yearly review and evaluation of performance of the library director.
- ➢ Standards for performance of library director should be in place at all times. (NRS 379.025.1 b)

Provide and maintain insurance on library property, functions and employees.
- ➢ Property must be maintained and library employees and activities covered continuously. (NRS 379.025.1 a,c; 2 a,d)

Review statutes and bylaws, policies and regulations for management of board and library.
- ➢ Study NRS and federal laws related to libraries and review and update library bylaws, policies and regulations as necessary.
- ➢ Complete and submit financial disclosure forms within legally required timelines. (NRS 281.561)

Fiscal responsibility for providing quality library service:

Participate in local government and serve on selected committees.
- ➢ Attend meetings and hearings regularly and represent library interests. (NRS 379.025.2d)

Negotiate with authorities to secure adequate funding for services, facilities and employees.
- ➢ Meet the Minimum Public Library Standards for Nevada in order to qualify for grant funding. Communicate library needs continuously to anyone who has influence over funding. (NRS 379.025.1 d,e; 2 c,d; NRS 379.026)

Review and approve budget and provide additional information upon request.
- ➢ Study budget continuously, review quarterly reports and provide information as soon as possible after requested. (NRS 379.025.1 d; f 2,3)

Leadership responsibility for securing future library services:

Play an active role in the process to create and update five-year library master plans.
- ➢ Update local library masterplan every two years. (NRS 379.003)

Be knowledgeable of Minimum Public Library Standards for Nevada and seek local compliance.
- ➢ Develop a time line for coming into compliance if library fails to meet standards.

Advocate for the library through community organizations and at public gatherings.
- ➢ Represent library interests continuously and provide information at every opportunity.

Support continuing education for library staff and trustees.
- ➢ Participate in library workshops and conferences yearly and support full staff participation in courses and workshops necessary to stay abreast of new technology and provide quality services. (NRS 379.007-379.0087, NRS 379.025.3)

Approved by SCLL 8/98

LIBRARY DIRECTOR

DEFINITION

Under general direction of the Pershing County Library Board of Trustees serves as manager of the Pershing County Library; recommends library policies, programs and procedures; supervises library staff, programs and operations; administers the business affairs of the department; and performs other work as assigned.

DISTINGUISHING CHARACTERISTICS

This is a department director position. The incumbent in this position is appointed by and serves at the pleasure of the Pershing County Library Board of Trustees.

EXAMPLES OF DUTIES

The duties listed below are examples of the work typically performed by the employee in this class. Not all assigned duties may be listed. *Marginal duties* (shown in *italics*) are those which are non-essential job functions for this class.

1. Manages the activities and programs of the Pershing County Library; develops goals and objectives for the Department consistent with both the Board of Trustees and Board of Commissioners' policies; develops standards and evaluates performance and level of service.

2. Estimates budget needs for the operation of the Library; writes justifications for funding requests; monitors expenditures to assure compliance with budget; accounts for variances between projected and actual expenditures; prepares and presents budget requests to the Board of Trustees, and the Pershing County Board of Commissioners.

3. Selects, directs and evaluates department staff; plans and prioritizes work to be done; schedules and coordinates activities; instructs staff in the requirements of the jobs and appropriate work procedures; listens to and takes necessary action to resolve employee problems, concerns and complaints; advises staff on resolution of problems; responds to grievances; issues warnings and reprimands for inadequate performance and improper behavior; takes necessary disciplinary action.

4. Prepares and presents information in written and oral form to the Board of Trustees, the County Board of Commissioners, officials of other agencies and the general public; prepares agendas for Trustee meetings in accordance with Trustee directions; advises Trustees on library system operations and needs; records and distributes minutes.

5. Previews, selects and purchases all adult level library materials; catalogs and processes new acquisitions; answers reference and other questions for staff and public.

6. Promotes and participates in various library programs; works with volunteer groups and agencies on a variety of community programs; presents programs that are tailored to a specific group; presents in-service at local community and educational institutions; participates in community outreach efforts; prepares publicity releases.

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7. Assists library patrons in locating materials and using library resources; researches and answers reference questions using a variety of library resources; answers questions concerning library services and programs; explains rules, regulations and procedures of library and makes referrals to other community services and programs; checks library materials in and out; maintains library record systems while ensuring the confidentiality of the individual records of all patrons; compiles, tabulates and records statistical data; completes reports; types and files memos, reports, forms, and correspondence.

8. Participates in various committees; may serve as chairperson; facilitate the meetings; prepare agendas, minutes and make regular reports to the Pershing County Board of Commissioners.

QUALIFICATIONS FOR EMPLOYMENT

Knowledge and Ability

Knowledge of: modern library policies, procedures, techniques, programs, resources, and collections; computer technology as applied to library system operations; supervisory and management practices; research methodology, report writing, basic statistics and their applications; basic office procedures, record keeping, and bookkeeping.

Ability to: train staff in library procedures and operation of equipment; establish and maintain effective working relationships with employees and the general public; find information necessary to answer patron's reference questions; use library resources and equipment; type at a rate sufficient to perform the duties of the position; maintain library record keeping systems; work with a variety of people both in person and on the telephone.

Experience and Training

Any combination of training, education and experience that would provide the required knowledge and abilities. A typical way to gain the required knowledge and ability is:

Graduation from a college or university with a degree related to library science, social science, business or public administration, or related field and three years of progressively responsible professional library experience, including at least one year as a librarian in charge of a small library or in charge of a major division of a large library.

Special Requirements

Possess current certification by the State of Nevada as a Librarian or Certified Librarian.
Submit to fingerprinting and possess ability to pass a background investigation.
Possession of a valid Nevada driver's license at time of appointment.

Physical Demands

Strength, dexterity, coordination and vision to use keyboard and video display terminal for prolonged periods on a regular basis. Dexterity and coordination to handle files and single pieces of paper; occasional lifting of items weighing up to 25 lbs. such as books, magazines, cartons, files, stacks of paper, reference and other materials. Moving from place to place within the office; some reaching for items above and below desk level.

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Roles Comparison

Responsibilities of	Director of the Library	Trustee	Friend
General Administrative	Administer daily operation of the library. Act as technical advisor to the Board. Determine and ensure staff assistance to Friends group.	Recruit and employ a qualified director. Maintain an ongoing performance appraisal process for the director.	Support quality service through fundraising, volunteerism and advocacy for the library's program.
Policy	Apprise Board of need for new policies and revisions. Implement policies as adopted by the Board. Keep Friends group apprised of policies.	Identify and adopt written policies to govern the operation of the library including personnel and general operating policies.	Support the policies of the library as adopted by the Board. Adopt bylaws and articles of incorporation for the Friends group.
Planning	Coordinate and implement long range planning process with Board, Friends group, staff and community. Prepare appropriate status reports.	Ensure that the library has a long range planning process with implementation and evaluation components. Support the library director, staff and Friends in carrying out the library's program.	Provide input into the long range planning process of the library and remain knowledgeable as to the status of the plan.
Public Relations	Coordinate and implement an ongoing public relations program.	Ensure that the library has an active public relations program.	Promote the library's program to the public.
Fiscal	Prepare an annual budget for the library in consultation with the Board and Friends group. Present current report of expenditures against the budget at Board meetings and make the Friends group aware of special financial needs.	Secure adequate funds to carry out the program of the library. Assist in the preparation and presentation of the annual budget.	Conduct fundraising which complements the mission of the library. Provide funding for special projects.

Responsibilities of	Director of the Library	Trustee	Friend
Legislative	Educate Board and Friends regarding current local, state and federal laws and pending legislation which would affect the library.	Be familiar with local, state and federal laws as well as pending legislation which would affect the library. Serve as advocate for local, state and national issues. Represent the library's program to legislators.	Serve as advocate for local, state and national issues. Represent the library's program to legislators.
Meetings	Provide written reports at and participate in all Board and Friends group meetings.	Attend and participate in all Board meetings. See that accurate records are kept on file. Appoint a liaison to the Friends group to attend their meetings.	Maintain a liaison to the Board to attend all of their meetings.
Networking	Affiliate with state and national professional organizations. Attend professional meetings and workshops. Make use of consultants and services.	Attend regional, state and national Board meetings and workshops. Affiliate with appropriate professional organizations. Make use of consultants and services.	Affiliate with state and national Friends organizations. Attend appropriate meetings and workshops. Make use of consultants and services.

MINIMUM PUBLIC LIBRARY STANDARDS FOR NEVADA

1. The Library Board of Trustees shall operate by written by-laws adopted by the Board and submitted to the County Commission or City Council/Supervisors.

2. The Library Board of Trustees shall have a written master plan of service covering five years and update it every two years (NRS 379.003).

3. The Library Board of Trustees shall adopt written policies for the operation of the library including, but not limited to, selection of materials and request for reconsideration; personnel; facility use; interlibrary loan; circulation; public Internet access; collection development; and confidentiality.

4. Public libraries shall spend a minimum of 10% of their locally funded budgets for books and materials selected to meet community needs.

5. Public libraries shall provide a basic reference collection in conformance with guidelines adopted by the State Council on Libraries and Literacy.

6. The Library Board of Trustees shall present to the Nevada State Library and Archives (NSLA) a written annual report, which includes an annual operating budget and shall participate in the annual FSCS public library statistics program through NSLA.

7. Public libraries serving a population of 2500 or less shall have a Library Director who has a Master's Degree in Library Science from an ALA accredited institution or holds the credential of Certified Librarian from the State of Nevada. Public libraries serving a population of 2,500 to 50,000 shall require an MLS or State of Nevada certification credential for at least one position performing each of the following duties: administration (Head Librarian or Director), reference, and children's librarian. Public libraries serving population of 50,000 or more shall require a certified MLS for at least one position performing each of the following duties: Director, Reference Librarian and Children's Librarian.

8 All public library systems serving populations of 300 or more shall be open a minimum of twenty hours per week and shall offer some night and/or weekend hours. All libraries shall publicize services, hours of opening, borrowing rules, location and telephone numbers.

9. All public libraries shall have a library building which meets community needs, including adequate space, lighting, shelving, seating, access by persons with disabilities and adequate public restroom facilities.

10. All public libraries shall have the facilities, equipment and staff necessary to enable the public to obtain access to information, including information available through the Internet and other relevant electronic media.

11. Libraries shall participate in state-wide interlibrary loan and reciprocal borrowing programs.

12. Libraries not meeting one or more of the above standards, shall develop a plan for coming into compliance as part of their local five year master plan submitted to NSLA and the State Council on Libraries and Literacy.

Amended 2/26/98

Guide to Parliamentary Procedure

http://www.sbcc.edu/~music/kky/edu/order.htm

MOTION	SECOND REQUIRED	DEBATABLE	AMENDABLE	VOTE REQUIRED	RECONSIDER-ABLE
Main Motion	Yes	Yes	Yes	Majority	Yes
Adjourn	Yes	No Time Only		Majority	No
Accept a Report	Yes	Yes	Yes	Majority	Yes
Amend	Yes	Yes	Yes	Majority	Yes
Refer to Committee	Yes	Yes	Yes	Majority	If Committee has not begun work on the matter
Point of Information	No	No	No	Is Not Voted On	No
Lay on the Table	Yes	No	No	Majority	No
Take from the Table	Yes	No	No	Majority	No
Approve Minutes	Yes	Yes	Yes	Majority	Yes
Point of Order	No	No	No	Is Ruled Upon by the Chair	No
Parliamentary Inquiry	No	No	No	Is Responded to by the Chair	No
Previous Question	Yes	No	No	2/3	Yes
Reconsider	Yes	If motion to be reconsidered is debatable	No	Majority	No

THE LIBRARY BILL OF RIGHTS

THE AMERICAN LIBRARY ASSOCIATION affirms that all libraries are forums for information and ideas, and the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

ALA office for Intellectual Freedom, Intellectual Freedom Manual
(Chicago: American Library Association, 1992, 4th ed.) 283p.

THE FREEDOM TO READ

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority.

2. Publishers, librarians, and booksellers do not need to endorse every idea or presentation contained in the books they make available. It would conflict with public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what books should be published or circulated.

3. It is contrary to the public interest for publishers or librarians to determine the acceptability of a book on the basis of the personal history or political affiliations of the author.

4. There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

5. It is not in the public interest to force a reader to accept with any book the prejudgment of a label characterizing the book or author as subversive or dangerous.

6. It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large.

7. It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a bad book is a good one, the answer to a bad idea is a good one.

ALA office for Intellectual Freedom, Intellectual Freedom Manual
(Chicago: American Library Association, 1992, 4th ed.)

NEVADA LIBRARY ASSOCIATION
RESOLUTION ON ACCESS TO LIBRARY MATERIALS AND SERVICES

WHEREAS, Libraries have the important mission of protecting the right of free speech by making the widest diversity of views and modes of expression available to everyone;

WHEREAS, Libraries should provide materials and information presenting all points of view on current and historical issues, and should not proscribe or remove materials because of personal, partisan or doctrinal disapproval;

WHEREAS, Libraries should provide the best information and materials on various subjects and literatures in response to what is in demand, and to make them freely available so that people may make their own choices;

WHEREAS, Libraries enable citizens to make intelligent decisions based on information on all sides of a question - including minority, as well as popular points of view;

WHEREAS, Libraries serve the entire community, with all its social, political, economic, religious and cultural diversities and alternative lifestyles;

WHEREAS, Libraries provide books and other materials, programs, and services for the interest and enlightenment of people of all ages;

WHEREAS, Libraries should not restrict access to library resources to avoid objections from parents or pressure groups;

WHEREAS, Parents, and only parents, have the right and the responsibility to restrict access of their children, and no others, to library resources;

RESOLVED, That the Nevada Library Association defends citizens' rights to free access to library collections and services, and opposes all attempts by pressure groups or individuals to limit access to the full range of library materials, programs or services, and be it further

RESOLVED, That the Nevada Library Association defends intellectual freedom and opposes censorship or discrimination against any group or segment of society.

Proposed by the NLA INTELLECTUAL FREEDOM COMMITTEE
ADOPTED BY THE NEVADA LIBRARY ASSOCIATION, OCTOBER, 1994

Nevada Public Library Law
NRS 379

CHAPTER 379

PUBLIC LIBRARIES

GENERAL PROVISIONS

NRS 379.002 Goal of public libraries and information centers.
NRS 379.003 Master plan for libraries.
NRS 379.005 Definitions.
NRS 379.0051 "Consolidated library" defined.
NRS 379.0053 "County library" defined.
NRS 379.0055 "District library" defined.
NRS 379.0057 "Public library" defined.
NRS 379.0059 "Town library" defined.

CERTIFICATION OF PERSONNEL

NRS 379.007 Purpose of certification; certificate revocable.
NRS 379.0073 Regulations establishing standards for certification.
NRS 379.0077 Submission of application for certification and fingerprints; issuance of provisional certificate. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
NRS 379.0077 Submission of application for certification and fingerprints; issuance of provisional certificate. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
NRS 379.0078 Payment of child support: Statement by applicant for certification; grounds for denial of certification; duty of state library and archives administrator. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
NRS 379.008 Confidentiality of application for certification and related documents; penalty; inspection of file by applicant.
NRS 379.0082 Suspension of certification for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]
NRS 379.0083 Regulations establishing fees relating to issuance and renewal of certificate.
NRS 379.0087 Regulations setting forth standards for approval of courses of study or training.
NRS 379.009 Filing and update of directory of personnel who hold certificates.

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COUNTY, DISTRICT, CONSOLIDATED AND TOWN LIBRARIES

NRS 379.010 County library: Establishment and maintenance; county library fund.
NRS 379.020 Trustees of county library: Appointment; terms; vacancies; compensation; expenses; removal.
NRS 379.021 County library district: Procedure for formation; levy of tax for maintenance; library fund; separate account for gift fund and library fund.
NRS 379.022 Trustees of county library district: Appointment; terms; vacancies; compensation; expenses; removal; additional trustees if service extended.
NRS 379.0221 Consolidated library district: Consolidation of city into county library district in certain counties.
NRS 379.0222 Trustees of consolidated library district: Appointment; terms; compensation; removal; executive director.
NRS 379.0223 Consolidated library district: Name.
NRS 379.0224 Consolidated library district: Boundaries.
NRS 379.0225 Issuance of bonds by consolidated or county library district.
NRS 379.0227 Consolidated library district: Levy of tax; fund for the consolidated library; transfer of money to separate account.
NRS 379.023 Town library: Establishment and maintenance; levy of tax; town library fund.
NRS 379.025 Powers and duties of trustees of consolidated, county, district, town or other public library.
NRS 379.026 Gift funds of libraries: Establishment; source; use; investment of money.
NRS 379.027 Powers and duties of librarian.
NRS 379.030 Payment of claims against library fund.
NRS 379.040 Library to be free and accessible to public; regulations of trustees.
NRS 379.050 Transfer of property of district library to new county library in certain counties; merger of county library districts in certain counties; merger or consolidation of city or town library with county library district.
NRS 379.055 Transfer of county library district's property, money, contracts and appropriations to consolidated library district.
NRS 379.060 Extension of services of consolidated, county or district library: Contracts with counties, cities, towns and school districts.

CITY LIBRARIES

NRS 379.070 Establishment and maintenance.
NRS 379.105 Governing authority of city library: Governing body of city or trustees; powers and duties of governing authority.
NRS 379.106 Gift fund.
NRS 379.107 Powers and duties of librarian.
NRS 379.120 Library to be free and accessible to public; regulations of governing authority.

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CHAPTER 379

PUBLIC LIBRARIES

CROSS REFERENCES

Biennial report and statistical abstract, distribution to, NRS 345.120
Board of county commissioners includes board of supervisors of Carson City, NRS 0.035
Boundaries of library districts, plat to be filed with taxing authorities, NRS 234.250
Commission of acts interfering with peaceful conduct of activities, NRS 203.119
Coordinator of the use of libraries and related technical systems, NRS 385.345
County includes Carson City, NRS 0.033
Exchanges of books, authority of state library and archives administrator, NRS 378.080
Financial assistance rendered by state library and archives administrator, NRS 378.080-378.130
Funds, limitation on use of ending balances and reserves, NRS 354.621, 354.6215
Local Government Budget Act, NRS 354.470-354.626
Local Government Purchasing Act, NRS ch. 332
Local Government Securities Law, NRS 350.500-350.720
Medium-term financing, NRS 355.130
Municipal securities, purchase by state, NRS ch. 350A
Newspapers, agreement with county recorders to receive and preserve, NRS 247.070
Obscenity, exemption from provisions concerning, NRS 201.237
Population defined, NRS 0.050
Public works, bids, NRS 338.140-338.147
Records, confidentiality, NRS 239.013
Revenues from taxes ad valorem limited, NRS 354.59811-354.59874
State council on libraries and literacy, NRS ch. 380A
Statutes of Nevada, distribution to, NRS 345.010
Supreme court advance sheet opinions, free distribution, NRS 2.345
Technical assistance rendered by state library and archives administrator, NRS 378.081
Tobacco, restrictions on smoking, NRS 202.249-202.2492, 475.050

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ATTORNEY GENERAL'S OPINIONS.

Types of libraries provided for under chapter. Four different types of public libraries are provided for under NRS ch. 379. AGO 169 (8-28-1964)

GENERAL PROVISIONS

NRS 379.002 Goal of public libraries and information centers. It is the goal of the state's publicly supported libraries and information centers to provide the resources and trained staff to meet the informational needs of all citizens.

(Added to NRS by 1981, 996)

NRS 379.003 Master plan for libraries. The governing body of every public library in this state shall develop, through a continuing process of planning, a master plan for the library or libraries for which it is responsible, including plans for levels of library services and resources, and shall submit the plan to the state council on libraries and literacy. The master plan must be designed to extend 5 years into the future and must be made current at least every 2 years.

(Added to NRS by 1981, 996; A 1993, 1581)

NRS 379.005 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 379.0051 to 379.0059, inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1967, 1058; A 1981, 996; 1985, 8)

NRS 379.0051 "Consolidated library" defined. "Consolidated library" means a library established pursuant to NRS 379.0221.

(Added to NRS by 1985, 7)

NRS 379.0053 "County library" defined. "County library" means a library established pursuant to NRS 379.010.

(Added to NRS by 1985, 7)

NRS 379.0055 "District library" defined. "District library" means a library established pursuant to NRS 379.021.

(Added to NRS by 1985, 7)

NRS 379.0057 "Public library" defined. "Public library" means a consolidated, county, district, city or town library, a group of libraries which have entered into an interlocal agreement or any other library predominantly supported by public money.

(Added to NRS by 1985, 7)

NRS 379.0059 "Town library" defined. "Town library" means a library maintained pursuant to NRS 379.023.

(Added to NRS by 1985, 7)

CERTIFICATION OF PERSONNEL

NRS 379.007 Purpose of certification; certificate revocable. The purpose of certifying the personnel of public libraries is to protect the general welfare of the people of this state. Any certificate issued by the state library and archives administrator is a revocable privilege and no holder of a certificate acquires any vested right therein.

(Added to NRS by 1995, 103; A 1997, 3147)

NRS 379.0073 Regulations establishing standards for certification.

1. The state library and archives administrator shall adopt regulations establishing standards for the certification by the state library and archives administrator of the personnel of public libraries in this state.

2. The regulations must include:

(a) Standards for the certification of various categories of library personnel, based upon their educational backgrounds, work experience and job descriptions.

(b) The qualifications required for certification, including the courses of study or training required for each category of certification.

3. The regulations may include:

(a) Provisions governing the issuance of conditional certificates to personnel of public libraries before the completion of all courses of study or other requirements for certification.

(b) Provisions governing the issuance of provisional certificates pursuant to NRS 379.0077.

4. The regulations must provide that they do not apply to a public library unless the governing authority of the library has approved the regulations for use by the library.

(Added to NRS by 1995, 101; A 1997, 3147)

ADMINISTRATIVE REGULATIONS.

Program of certification of librarians, NAC 379.010-379.050

NRS 379.0077 Submission of application for certification and fingerprints; issuance of provisional certificate. [Effective until the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An application for certification by the state library and archives administrator must include the social security number of the applicant.

2. Every applicant for certification by the state library and archives administrator shall submit with his application a complete set of his fingerprints and written permission authorizing the state library and archives administrator to forward the fingerprints to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation for its report. The state library and archives administrator may issue a provisional certificate pending receipt of the report if he determines that the applicant is otherwise qualified.

(Added to NRS by 1995, 102; A 1997, 2048, 3147)

REVISER'S NOTE.

Ch. 483, Stats. 1997, which amended this section, contains the following provision not included in NRS:

"The amendatory provisions of sections 1 to 4, inclusive, and 6 to 516, inclusive, of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

1. Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

2. Are in arrears in the payment for the support of one or more children,

are repealed by the Congress of the United States."

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NRS 379.0077 Submission of application for certification and fingerprints; issuance of provisional certificate. [Effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.] Every applicant for certification by the state library and archives administrator shall submit with his application a complete set of his fingerprints and written permission authorizing the state library and archives administrator to forward the fingerprints to the central repository for Nevada records of criminal history for submission to the Federal Bureau of Investigation for its report. The state library and archives administrator may issue a provisional certificate pending receipt of the report if he determines that the applicant is otherwise qualified.

(Added to NRS by 1995, 102; A 1997, 2048, 3147, effective on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 379.0078 Payment of child support: Statement by applicant for certification; grounds for denial of certification; duty of state library and archives administrator. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. An applicant for the issuance or renewal of certification shall submit to the state library and archives administrator the statement prescribed by the welfare division of the department of human resources pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The state library and archives administrator shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certification; or

(b) A separate form prescribed by the state library and archives administrator.

3. A certificate may not be issued or renewed by the state library and archives administrator if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that he is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the state library and archives administrator shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2047)

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REVISER'S NOTE.

Ch. 483, Stats. 1997, the source of this section, contains the following provision not included in NRS:

"The amendatory provisions of sections 1 to 4, inclusive, and 6 to 516, inclusive, of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

1. Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

2. Are in arrears in the payment for the support of one or more children,

are repealed by the Congress of the United States."

NRS 379.008 Confidentiality of application for certification and related documents; penalty; inspection of file by applicant.

1. An application to the state library and archives administrator for certification and all documents in the file of the state library and archives administrator relating to an application, including:

(a) The applicant's health records;

(b) The applicant's fingerprints and any report from the Federal Bureau of Investigation;

(c) Transcripts of the applicant's record at colleges or other educational institutions;

(d) Correspondence concerning the application; and

(e) Other personal information concerning the applicant,

are confidential.

2. It is unlawful to disclose or release the information in an application or a related document except pursuant to the written authorization of the applicant.

3. The state library and archives administrator shall, upon request, make available the file of the applicant for inspection by the applicant during regular business hours.

(Added to NRS by 1995, 102; A 1997, 3147)

NRS 379.0082 Suspension of certification for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certification. [Expires by limitation on the date of the repeal of the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the state library and archives administrator receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been certified by the state library and archives administrator, the state library and archives administrator shall deem that person's certification to be suspended at the end of the 30th day after the date on which the court order was issued unless the state library and archives administrator receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person who has been certified by the state library and archives administrator stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The state library and archives administrator shall reinstate the certification of a person that has been suspended by a district court pursuant to NRS 425.540 if the state library and archives administrator receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certification was suspended stating that the person whose certification was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

(Added to NRS by 1997, 2048)

REVISER'S NOTE.

Ch. 483, Stats. 1997, the source of this section, contains the following provision not included in NRS:

"The amendatory provisions of sections 1 to 4, inclusive, and 6 to 516, inclusive, of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

1. Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

2. Are in arrears in the payment for the support of one or more children,

are repealed by the Congress of the United States."

NRS 379.0083 Regulations establishing fees relating to issuance and renewal of certificate. The state library and archives administrator may adopt regulations establishing fees:

1. Of not more than $5 for the issuance and renewal of a certificate. The fee for issuing a duplicate certificate must be the same as for issuing the original. The money received from such fees must be paid into the state general fund.

2. To cover the amount charged by the Federal Bureau of Investigation for processing the fingerprints of an applicant. The money received from such fees must be deposited with the state treasurer for credit to the appropriate account of the division of state library and archives of the department of museums, library and arts.

(Added to NRS by 1995, 102; A 1997, 3148)

NRS 379.0087 Regulations setting forth standards for approval of courses of study or training.

1. The state library and archives administrator shall adopt regulations setting forth standards for the approval of a course of study or training offered by an educational institution to qualify a person for certification.

2. Except as otherwise provided in subsection 3, the state library and archives administrator shall, upon the application of an educational institution or as he determines necessary, review and evaluate a course of study or training offered by an educational institution to qualify a person for certification. If the course of study or training meets the standards established by the state library and archives administrator, it must be approved by the state library and archives administrator.

3. In lieu of reviewing and evaluating a course of study or training, the state library and archives administrator may approve a course of study or training which is approved by a national agency for accreditation.

4. If the state library and archives administrator denies or withdraws approval of a course of study or training, the educational institution is entitled to a hearing and judicial review of the decision of the state library and archives administrator.

(Added to NRS by 1995, 102; A 1997, 3148)

NRS 379.009 Filing and update of directory of personnel who hold certificates. The state library and archives administrator shall file with the governing authority of each public library in this state a directory of all personnel who hold certificates, and shall advise the governing authority from time to time, as necessary, of changes or additions to the directory.

(Added to NRS by 1995, 103; A 1997, 3149)

COUNTY, DISTRICT, CONSOLIDATED AND TOWN LIBRARIES

NRS 379.010 County library: Establishment and maintenance; county library fund.

1. The board of county commissioners of each county may set apart a sum of money to be used in the establishment and maintenance of a public library in the county. Each year thereaf-

ter the board of county commissioners may set apart an amount of money for the purpose of operating and maintaining the library.

2. The fund so created is the county library fund.

[1:187:1925; A 1927, 84; 1943, 53; 1949, 110; 1955, 333]—(NRS A 1957, 20; 1967, 1060; 1981, 997)

NRS 379.020 Trustees of county library: Appointment; terms; vacancies; compensation; expenses; removal.

1. The board of county commissioners shall appoint five competent persons who are residents of the county to serve as county library trustees. Three trustees shall hold office for the terms of 1, 2 and 3 years respectively, and two trustees shall hold office for terms of 4 years. Annually thereafter, the board of county commissioners shall appoint one trustee who shall hold office for a term of 4 years, except that in those years in which the terms of two trustees expire, the board of county commissioners shall appoint two trustees for terms of 4 years. County library trustees shall hold office until their successors are appointed and qualified.

2. No trustee may be appointed to hold office for more than two consecutive 4-year terms.

3. All vacancies which may occur at any time in the office of county library trustee must be filled by appointment by the board of county commissioners.

4. County library trustees serve without compensation, except that the board of county commissioners may provide for compensation in an amount of not more than $40 per meeting, with a total of not more than $80 per month, and may provide travel expenses and subsistence allowance for the members in the same amounts as are allowed for employees of the county library.

5. The board of county commissioners may remove any trustee who fails, without cause, to attend three successive meetings of the trustees.

[2:187:1925; A 1956, 214]—(NRS A 1959, 329; 1967, 1060; 1971, 133; 1981, 997; 1989, 612)

NRS 379.021 County library district: Procedure for formation; levy of tax for maintenance; library fund; separate account for gift fund and library fund.

1. Whenever in any county a petition or petitions praying for the formation of a county library district and the establishment of a public library therein setting forth the boundaries of the proposed library district, certified by the district judge of any judicial district as being signed by 10 percent of the taxpayers or by taxpayers representing 10 percent of the taxable property in the proposed county library district, as shown by the last preceding assessment roll of the county, is presented to the board of county commissioners of the county in which the territory of the proposed county library district is situated, accompanied by an affidavit or affidavits of one or more of the signers thereof that the signatures thereto are genuine, the board of county commissioners shall, at its next regular meeting after the petition or petitions are so presented:

(a) Pass a resolution to the effect that a county library district with properly defined boundaries is to be established and cause to be published a notice thereof in a newspaper of general circulation within the district once a week for a period of 2 weeks; and

(b) Allow 30 days after the first publication of the notice during which all taxpayers of the district in which the district library is to be situated have the right to file protests with the county clerk.

2. If the aggregate of protests is less than 10 percent of the taxpayers voting in the last general election, the board of county commissioners shall order the creation of the county library district and the establishment of a public library therein and levy taxes in support and continued maintenance of the library in accordance with subsection 5.

3. If the aggregate of protests is more than 10 percent of the taxpayers voting in the last general election, the board of county commissioners shall proceed no further with reference to the establishment of a county library district without submitting the question to the voters at a primary or general election.

4. If the majority of votes cast at the election is against the establishment of the county library district, the question is lost and the board of county commissioners shall proceed no further. If the majority of votes is in favor of the county library district, the board of county commissioners shall, within 10 days after the election, order the creation of the county library district and establishment of a public library therein.

5. Upon the creation of a county library district and establishment of a public library therein, the board of county commissioners shall, at the next time for levying taxes and in each year thereafter, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in the county library district to create and maintain a fund known as the library fund.

6. All money received by the county treasurer pursuant to subsection 5 and NRS 379.026 may be transferred to a separate account established and administered by the trustees of a district library in accordance with the provisions of NRS 354.603.

(Added to NRS by 1967, 1058; A 1981, 997; 1993, 1075; 1995, 2201)

ATTORNEY GENERAL'S OPINIONS.

Boundaries of library district. Under former NRS 379.080 (cf. NRS 379.021), newly established county library districts may embrace all or any portion of county not within already-existing public library district of some type. AGO 169 (8-28-1964)

NRS 379.022 Trustees of county library district: Appointment; terms; vacancies; compensation; expenses; removal; additional trustees if service extended.

1. After ordering the creation of a county library district and the establishment of a public library therein as provided in NRS 379.021, the board of county commissioners shall appoint five competent persons who are residents of the county library district to serve as district library trustees.

2. The term of office of the trustees appointed pursuant to subsection 1 is as follows:

(a) Three persons must be appointed for terms of 2 years.

(b) Two persons must be appointed for terms of 4 years.

Thereafter the offices of district library trustees must be filled for terms of 4 years in the order in which the terms expire. No person may be appointed to hold office for more than two consecutive 4-year terms.

3. A vacancy in the office of district library trustee which occurs because of expiration of the term of office must be filled by appointment by the board of county commissioners for a term of 4 years. A vacancy which occurs other than by expiration of the term must be filled by appointment by the board of county commissioners for the unexpired term.

4. The board of district library trustees may provide for compensation of members of the board in an amount of not more than $40 per meeting, with a total of not more than $80 per month, and may provide travel expenses and subsistence allowances for the members in the same amounts as are allowed for employees of the county library district.

5. The board of county commissioners may remove any district library trustee who fails, without cause, to attend three successive meetings of the trustees.

6. If the library trustees of any county library district have entered into a contract pursuant to NRS 379.060 with any city within the county, they may add to their number two additional library trustees who are appointed by the governing body of the city to represent the residents of the city. The terms of office of the two additional library trustees are 3 years or until the termination of the contract with the city for library services, if that termination occurs sooner. The additional library trustees have the same powers and duties as the trustees appointed pursuant to subsection 1.

(Added to NRS by 1967, 1059; A 1971, 133; 1981, 336, 998; 1989, 612)

NRS 379.0221 Consolidated library district: Consolidation of city into county library district in certain counties. The trustees of a county library district in any county whose population is 400,000 or more and the governing body of any city within that county may, to establish and maintain a public library, consolidate the city into the county library district.

(Added to NRS by 1985, 7; A 1989, 1923)

NRS CROSS REFERENCES.
"Population" defined, NRS 0.050

NRS 379.0222 Trustees of consolidated library district: Appointment; terms; compensation; removal; executive director.

1. After the consolidation of a city into a county library district, the board of county commissioners and the governing body of the city shall each appoint five competent persons who are residents of the new consolidated library district to serve as trustees.

2. The terms of office of the trustees appointed pursuant to subsection 1 are as follows:

(a) Three persons appointed by each governing body must be appointed for terms of 4 years.

(b) Two persons so appointed must be appointed for terms of 2 years.

Thereafter the offices of trustees must be filled for terms of 4 years in the order in which the terms expire. No person may be appointed to hold office for more than two consecutive terms.

3. A vacancy in the office of trustee which occurs because of the expiration of the term must be filled by appointment for a term of 4 years. A vacancy which occurs other than by expiration of the term must be filled by appointment for the unexpired term.

4. The trustees are entitled to receive a salary of $40 per meeting, but not more than $80 per month, in addition to the travel and subsistence allowances in the same amounts as are provided for employees of the consolidated library district.

5. The board of county commissioners or governing body of the city, as the case may be, may remove any trustee appointed by it:

(a) For cause, as described in NRS 283.440; or

(b) Who fails, without good cause, to attend three successive meetings of the trustees.

6. The trustees may appoint an executive director for the consolidated library district who serves at the pleasure of the trustees.

(Added to NRS by 1985, 7; A 1989, 613; 1993, 2547)

NRS 379.0223 Consolidated library district: Name. The name of any consolidated library district established pursuant to NRS 379.0221 must be selected by the trustees and include the name of the city having the largest population located within the boundaries of the consolidated library district.

(Added to NRS by 1985, 8; A 1993, 2548)

NRS CROSS REFERENCES.
"Population" defined, NRS 0.050

NRS 379.0224 Consolidated library district: Boundaries. The boundaries of a consolidated library district include all of the area of:

1. Each city that is consolidated into the county library district;

2. The county library district at the time of the establishment of the consolidated library district, except for an area annexed by another city which:

(a) Is not consolidated into the county library district; and

(b) Has established a city library pursuant to NRS 379.105 or created a municipal library district pursuant to the provisions of its charter; and

3. Any other county library district which has merged with the county library district being consolidated.

(Added to NRS by 1985, 8; A 1997, 1755)

REVISER'S NOTE.

Ch. 470, Stats. 1997, which changed the area included in a consolidated library district, contains the following provision not included in NRS:

"1. The amendatory provisions of this act apply to alterations by annexation to the boundaries of a library district that occurred before July 1, 1998.

2. The amendatory provisions of this act do not apply to alter the boundaries of a library district for the purposes of taxes levied for the repayment, when due, of the principal of and interest on bonds, notes or other indebtedness issued before July 1, 1998."

NRS 379.0225 Issuance of bonds by consolidated or county library district.

1. Except as otherwise provided in this subsection, the trustees of a consolidated or county library district may propose the issuance of general obligation bonds in an amount not to exceed 10 percent of the total last assessed valuation of the taxable property of the district for the purpose of acquiring, constructing or improving buildings and other real property to be used for library purposes or for purchasing books, materials or equipment for newly constructed libraries. The trustees of a consolidated library district shall not propose an issuance of bonds or any other form of indebtedness unless a public hearing on the proposal is first held before the board of county commissioners and the governing body of the city.

2. If the trustees decide to propose the issuance of bonds, the proposal must be submitted to the debt management commission of the county in which the district is situated, pursuant to the provisions of NRS 350.001 to 350.006, inclusive. If the commission approves the proposed issuance, the question of issuing the bonds must be submitted to the registered electors of the district in accordance with the provisions of NRS 350.020 to 350.070, inclusive. If a majority of the electors voting on the question favors the proposal, the board of county commissioners shall issue the bonds as general obligations of the consolidated or county library district pursuant to the provisions of the Local Government Securities Law.

3. Any bond issued for purchasing books, materials or equipment for newly constructed libraries must be redeemed within 5 years after its issuance.

(Added to NRS by 1981, 996; A 1985, 9; 1989, 613; 1993, 2548; 1995, 772)

NRS 379.0227 Consolidated library district: Levy of tax; fund for the consolidated library; transfer of money to separate account.

1. Upon the establishment of a consolidated library district, the board of county commissioners shall, at the next time for levying taxes and in each year thereafter, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in the consolidated library district for the purpose of creating and maintaining a fund known as the fund for the consolidated library.

2. All money received by the county treasurer pursuant to subsection 1 and NRS 379.026 may be transferred to a separate account established and administered by the trustees of a consolidated library district in accordance with the provisions of NRS 354.603.

(Added to NRS by 1985, 8; A 1989, 614)

NRS 379.023 Town library: Establishment and maintenance; levy of tax; town library fund.

1. Any free public library existing on July 1, 1967, which was established in an unincorporated town pursuant to the provisions of chapter 90, Statutes of Nevada 1895, or of NRS 379.070 to 379.120, inclusive, may be maintained pursuant to NRS 379.005 to 379.040, inclusive.

2. So long as such library is so maintained, the board of county commissioners of the county in which such library exists shall each year, at the time and in the manner other taxes are levied, levy a tax upon all taxable property in such unincorporated town for the purpose of maintaining a fund to be known as the town library fund.

(Added to NRS by 1967, 1059; A 1981, 999)

NRS 379.025 Powers and duties of trustees of consolidated, county, district, town or other public library.

1. Except as otherwise provided in subsection 2, the trustees of any consolidated, county, district, town or other public library, and their successors, shall:

(a) Establish, supervise and maintain a library.

(b) Appoint, evaluate the performance of and, if necessary, dismiss a librarian or, in the case of a consolidated library district, an executive director.

(c) Hold and possess the property and effects of the library in trust for the public.

(d) In the case of a county library, submit annual budgets to the board of county commissioners, containing detailed estimates of the amount of money necessary for the operation and management of the library for the next succeeding year.

(e) In the case of a consolidated, district or town library, prepare annual budgets in accordance with NRS 354.470 to 354.626, inclusive.

(f) In the case of a consolidated library district:

(1) Administer any separate account established pursuant to NRS 354.603.

(2) Annually submit a budget to the board of county commissioners and governing body of the city for joint review and recommendation, which must contain detailed priorities and estimates of the amount of money necessary for the operation and management of the consolidated library district for the next succeeding year. Unless a majority of the members of the board of county commissioners and a majority of the members of the governing body of the city reject the budget within 21 days after it is submitted to them, the trustees shall cause copies of the final budget to be submitted to the board of county commissioners for attachment to the copy of the final budget for the county which is filed pursuant to NRS 354.59801, and to the governing body of the city for attachment to the copy of the final budget for the city which is filed pursuant to NRS 354.59801. If the budget is so rejected, the trustees shall resubmit a revised budget for joint review pursuant to this subparagraph.

(3) Submit quarterly reports to the board of county commissioners and governing body of the city concerning the budget and the programs of the library, and provide any additional information requested by either governing body as soon as is reasonably practicable after receiving the request.

(g) In the case of a district library, administer any separate account established pursuant to NRS 354.603.

(h) Establish bylaws and regulations for the management of the library and their own management.

(i) Manage all the property, real and personal, of the library.

(j) Acquire and hold real and personal property, by gift, purchase or bequest, for the library.

(k) Administer any trust declared or created for the library.

(l) Maintain or defend any action in reference to the property or affairs of the library.

2. The trustees may:

(a) Make purchases and secure rooms.

(b) Authorize the merger or, subject to the limitations in NRS 379.0221, the consolidation of a town or city library with a county library district.

(c) Invest the money in the appropriate library fund in accordance with the provisions of chapter 355 of NRS.

(d) Do all acts necessary for the orderly and efficient management and control of the library.

3. The trustees shall, as a primary goal of the consolidated library district, provide the library facilities, resources and trained staff to meet the informational needs of all residents of the district.

(Added to NRS by 1959, 328; A 1967, 1060; 1969, 492; 1981, 999; 1985, 9; 1989, 614; 1993, 2548; 1995, 2202)

NRS CROSS REFERENCES.
Local Government Budget Act, NRS 354.470-354.626

ATTORNEY GENERAL'S OPINIONS.
Authority of trustees over gift fund. Under NRS 379.025 and 379.026, county library trustees may expend moneys of library gift fund without prior approval of county commissioners. AGO 11 (3-1-1963)

NRS 379.026 Gift funds of libraries: Establishment; source; use; investment of money.

1. The trustees of any consolidated, county, district or town library may establish with the county treasurer, as custodian, a special fund, to be known as the gift fund of the ..... consolidated library, the gift fund of the county library, the gift fund of the ..... district library or the gift fund of the ..... town library, as the case may be. The money in such a fund must be derived from all or any part of any gift, bequest or devise, including the interest thereon. The fund must be a separate and continuing fund and no money in the fund reverts to the general fund of the county at any time.

2. The money in a gift fund of a library may be used for construction of new library buildings, capital improvements to library buildings, special library services or other library purposes. No expenditure from a gift fund of a library may be made until authorized by the trustees.

3. The trustees may invest or reinvest all or part of the money in the gift fund of a library in any investment authorized for city and county money under chapter 355 of NRS.

(Added to NRS by 1961, 354; A 1967, 1061; 1985, 10)

ATTORNEY GENERAL'S OPINIONS.
Authority of trustees over gift fund. Under NRS 379.025 and 379.026, county library trustees may expend moneys of library gift fund without prior approval of county commissioners. AGO 11 (3-1-1963)

NRS 379.027 Powers and duties of librarian. The librarian of any consolidated, county, district or town library shall administer all functions of the library, employ assistants and carry out the policies established by the trustees of the library, and may recommend policies to the trustees.

(Added to NRS by 1959, 328; A 1967, 1061; 1981, 1000; 1985, 10)

NRS 379.030 Payment of claims against library fund.

1. All claims for indebtedness incurred or created by the trustees of any consolidated, county, district or town library must:

(a) Be audited and approved by a majority of the trustees;

(b) Be presented to and acted upon by the board of county commissioners, unless a separate account has been established pursuant to NRS 354.603; and

(c) Be paid out of the appropriate library fund in the same manner as claims against the county are presented, acted upon and paid.

2. In no case may any claim except for a library and reading room be allowed or paid out of the appropriate library fund.

3. Any money remaining in the county library fund on June 30 of any year reverts to the general fund of the county.

[3:187:1925; NCL § 5597]—(NRS A 1967, 1061; 1981, 1000; 1985, 10; 1989, 615)

ATTORNEY GENERAL'S OPINIONS.
Compliance with statutory procedure required for bids. County library trustees are county officers under supervision of county commissioners and thus must comply with statute requiring advertisement for bids for county contracts. AGO 86 (11-16-1943)

NRS 379.040 Library to be free and accessible to public; regulations of trustees. The library and reading room of any consolidated, county, district or town library must forever be and remain free and accessible to the public, subject to such reasonable regulations as the trustees of the library may adopt.

[4:187:1925; NCL § 5598]—(NRS A 1967, 1061; 1985, 10)

NRS 379.050 Transfer of property of district library to new county library in certain counties; merger of county library districts in certain counties; merger or consolidation of city or town library with county library district.

1. Whenever a new county library is provided for in any county whose population is 25,000 or more, the trustees of any district library in the county previously established may transfer all books, funds, equipment or other property in the possession of such trustees to the new library upon the demand of the trustees of the new library.

2. Whenever there are two or more county library districts in any county whose population is 25,000 or more, the districts may merge into one county library district upon approval of the library trustees of the merging districts.

3. Whenever there is a city or a town library located adjacent to a county library district, the city or town library may:

(a) Merge with the county library district upon approval of the trustees of the merging library and district; or

(b) Subject to the limitations in NRS 379.0221, consolidate with the county library district.

4. All expenses incurred in making a transfer or merger must be paid out of the general fund of the new library.

[1:140:1929; A 1956, 213] + [2:140:1929; NCL § 5600]—(NRS A 1967, 1062; 1969, 493; 1985, 11; 1989, 1923)

NRS CROSS REFERENCES.
"Population" defined, NRS 0.050

NRS 379.055 Transfer of county library district's property, money, contracts and appropriations to consolidated library district. All property, money, and contracts of, and appropriations to, the county library district being consolidated become the property, money and contracts of, and appropriations to, the consolidated library district.

(Added to NRS by 1985, 8)

NRS 379.060 Extension of services of consolidated, county or district library: Contracts with counties, cities, towns and school districts.

1. The trustees of any consolidated, county or district library shall cooperate with and enter into contracts with the board of county commissioners of any other county, or with any city or town in any other county, or with any school district, when necessary to secure to the residents of the other county, or to the residents of the city or town in the other county, or to the pupils of the school district, the same privileges of the consolidated, county or district library as are granted to or enjoyed by the residents of the county or consolidated or county library district, or such privileges as may be agreed upon in the contract. The consideration agreed upon must be specified in the contract, and must be paid into the consolidated, county or district library fund or a special fund for library purposes of the county providing the service.

2. Any contracting county, city, town or school district may terminate any contract which may be entered into upon such terms as may be agreed upon by the parties thereto.

3. Any county, city or town wherein a library has been established may cooperate with and contract with the trustees of any consolidated, county, district or town library to obtain for the residents of the county, city or town an increase in library services or such privileges as may be agreed upon.

4. The trustees of any consolidated, county or district library may cooperate with and contract with the board of county commissioners of any other county, relative to any phase of library service.

5. Any county, city or town contracting for library service may at any time establish a library for the use of its inhabitants, whereupon its contract for service may be continued or terminated on such terms as may be agreed upon by the parties thereto.

6. The tax-levying body of any county, city or town contracting to receive library services may budget for and levy a tax to meet the terms of the contract. The board of trustees of a school district may budget to meet the terms of the contract.

7. The trustees of the consolidated, county or district library providing services may expend any amounts received in consideration of any such contract in addition to the amount budgeted for the consolidated, county or district library.

[1:144:1945; A 1956, 213] + [2:144:1945; 1943 NCL § 5598.02] + [3:144:1945; 1943 NCL § 5598.03] + [4:144:1945; 1943 NCL § 5598.04]—(NRS A 1959, 279; 1961, 168; 1967, 1062; 1981, 1000; 1985, 11)

CITY LIBRARIES

NRS 379.070 Establishment and maintenance. Any free public library which has been established in a city pursuant to chapter 90, Statutes of Nevada 1895, or any other law prior to July 1, 1967, or which is established after July 1, 1967, may be maintained and shall be governed by the provisions of NRS 379.070 to 379.120, inclusive.

[1:48:1956]—(NRS A 1967, 1063)

NRS 379.105 Governing authority of city library: Governing body of city or trustees; powers and duties of governing authority.

1. The governing body of the city shall determine whether:

(a) To constitute itself the governing authority of the city library; or

(b) To appoint a board of trustees as such governing authority.

2. If library trustees are appointed, they and their successors shall:

(a) Establish, supervise and maintain a library.

(b) Appoint a librarian.

(c) Hold and possess the property and effects of the library in trust for the public.

(d) Submit annual budgets to the governing body of the city, containing detailed estimates of the amount of money necessary for the operation and management of the library for the next succeeding year.

(e) Establish bylaws and regulations for the management of the library and their own management.

(f) Manage all the property, real and personal, of the library.

(g) Acquire and hold real and personal property, by gift, purchase or bequest, for the library.

(h) Administer any trust declared or created for the library.

(i) Maintain or defend any action in reference to the property or affairs of the library.

3. If appointed, the library trustees may:

(a) Make purchases and secure rooms.

(b) Authorize the merger of a city library with a county library district.

(c) Do all acts necessary for the orderly and efficient management and control of the library.

4. The governing authority has all the powers and duties with respect to the city library that district library trustees have with respect to a district library.

(Added to NRS by 1959, 328; A 1965, 747; 1967, 1063; 1969, 493; 1981, 1001)

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NRS 379.106 Gift fund.

1. The governing authority of any city library is authorized to establish with the city treasurer, as custodian, a special fund, known as the "..... city library gift fund." The moneys in such fund must be derived from all or any part of any gift, bequest or devise, including the interest thereon. The gift fund is a separate and continuing fund and no moneys in it revert to the general fund of the city at any time.

2. The moneys in a city library gift fund may be used for construction of new library buildings, capital improvements to library buildings, special library services, or other library purposes. No expenditure from a city library gift fund may be made until authorized by the governing authority.

3. The governing authority of a city library may invest or reinvest all or part of the moneys in the city library gift fund in any investment authorized for city and county moneys under chapter 355 of NRS.

(Added to NRS by 1961, 354; A 1967, 1064; 1981, 1002)

NRS 379.107 Powers and duties of librarian. The librarian of any city library shall administer all functions of the library, employ assistants and carry out the policies established by the governing authority, and may recommend policies to the governing authority.

(Added to NRS by 1959, 328; A 1967, 1064; 1981, 1002)

NRS 379.120 Library to be free and accessible to public; regulations of governing authority. The library and reading room shall forever be and remain free and accessible to the people of the city, subject to such reasonable rules and regulations as the governing authority may adopt.

[6:48:1956]—(NRS A 1967, 1064)

Financial Disclosure Forms and Memos related to Ethics in Government

STATE OF NEVADA
DEPARTMENT OF MUSEUMS, LIBRARY AND ARTS
NEVADA STATE LIBRARY AND ARCHIVES
100 N. Stewart Street
Carson City, Nevada 89701-4285
(702) 687-8313
Fax (702) 687-8311 • TDD (702) 687-8338

BOB MILLER
Governor

JOAN G. KERSCHNER
Department Director

State Library Services
Library Development
Archives and Records
Literacy Coalition
Regional Library for the Blind and Physically Handicapped

To: Nevada Public Library Directors

From: Joan G. Kerschner

Date: August 24, 1998

Subject: LIBRARY TRUSTEES AND FINANCIAL DISCLOSURE

This is a reminder that Nevada library trustees (as public officers) must file financial disclosure statements at the following intervals cited in NRS 281.561:

- Within 30 days after appointment.
- On or before March 31 of each year of the term.
- Within 60 days after leaving office.

If the initial statement is filed within 3 months before another statement is required, trustees may notify the Commission on Ethics of their intention to use the previously filed statement to fulfill the requirement.

Please provide this information to your trustees at appropriate intervals allowing sufficient time for them to comply with the law. A copy of NRS 281.561 and a financial disclosure form are attached. The forms are also available from your county or city clerk. It has recently come to our attention that public officials who do not file the statements on time will be subject to hefty fines. Information prepared by the Commission on Ethics stating the amounts of fines for failure to file the forms on time is also enclosed.

We have decided not to maintain a listing of all Nevada public library trustees, so it will no longer be necessary for you, or your county or city officials to inform us of new appointees to your library board.

JGK:bb
Enclosures

STATE OF NEVADA

COMMISSION ON ETHICS

STATEMENT

OF

FINANCIAL DISCLOSURE

PRESCRIBED UNDER THE AUTHORITY GRANTED BY NRS 281.571

This form is to be signed by the candidate or officeholder and detached and forwarded by the filing officer to the Nevada Commission on Ethics, Capitol Complex, Carson City, Nevada 89710.

ACKNOWLEDGEMENT

I, _____, hereby acknowledge receipt of a Statement of Financial Disclosure Form (NCE-2) and accompanying information and instruction sheet. I understand that I must file the Statement of Financial Disclosure, and all future Statements, within the specified statutory time. I understand that a willful failure to file the required Statements within the specified statutory time is a misdemeanor (NRS 281.581); and that knowingly making any false or misleading statements on a Statement of Financial Disclosure is a gross misdemeanor (NRS 197.130).

_____ Date

_____ Signature of Candidate or Officeholder

_____ Printed Name

_____ Mailing Address

_____ Office Being Sought or Held

_____ Telephone Number *(Optional)*

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GENERAL INSTRUCTIONS

1. Please type or print all information.

2. If additional sheets of paper are needed to complete the Statement of Financial Disclosure, please attach those sheets to the Statement and label the information with the corresponding number on the Statement.

3. If there is no information to be disclosed for a specific question, please type or print either "None" or "N/A" in the appropriate space(s). Do not leave any question blank.

4. If you have been elected and/or appointed to two (2) or more positions as a public officer serving concurrently and/or simultaneously, you must complete and file a Statement of Financial Disclosure for each position you hold.

5. Statements of Financial Disclosure are filed with the Commission on Ethics at the address listed below. Statements filed with the Commission must have original signatures. The Commission is unable to accept facsimile copies. Statements must also be filed with the officer with whom a public or judicial officer filed his/her Declaration of Candidacy for the respective office. Filing officers are generally considered to be city or county clerks, registrars of voters and the Secretary of State's Office, Elections Division.

The mailing address and telephone number of the Commission on Ethics are:

COMMISSION ON ETHICS
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 687-5469

INFORMATION

1. The attached Statement of Financial Disclosure is prescribed by the Commission and must be used by all candidates for elective office and all "public and judicial officers" elected or appointed to governmental positions, whether on a state, district, county or municipal level. This form supersedes all previous forms.

2. **NRS 281.4365 "Public Officer" defined.**

(1) "Public Officer" means a person elected or appointed to a position which is established by the Constitution of the State of Nevada, a statute of this state or an ordinance of any of its counties or incorporated cities and which involves the exercise of a public power, trust or duty and whose duties are defined by statute or ordinance. As used in this section, "the exercise of a public power, trust or duty" includes:

(a) Actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation of public policy;

(b) The expenditure of public money; and

(c) The enforcement of laws and rules of the state, a county or a city.

(2) "Public Officer" does not include:

(a) A commissioner of deeds;

(b) Any member of a board, commission or other body whose function is advisory; or

(c) Any member of a board of trustees for a general improvement district or special district whose official duties do not include the formulation of a budget for the district or the authorization of the expenditure of the district's money.

NOTE: Deputies, assistants and notaries public are exempted. (AGO 193, September 3, 1975)

3. **NRS 281.561 Financial Disclosure Statement: Filing.** Every candidate for public or judicial office and every public and judicial officer shall file with the Commission and with the officer with whom declarations of candidacy for his/her respective office are filed, a Statement of Financial Disclosure.

NOTE: For purposes of Statements of Financial Disclosure, judicial officers and candidates for judicial office are included in the list of persons subject to NRS 281.561.

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4. **When to file and use the Statement of Financial Disclosure:**

(1) Candidates for public and judicial office or incumbents seeking election to the same or another public office must file a Statement of Financial Disclosure no later than the 10th day after the last day to qualify for the office.

(2) Appointed officials or a person appointed to fill the unexpired term of a public or judicial office must file a Statement of Financial Disclosure within 30 days of being appointed.

NOTE: A public officer who holds appointive office at the pleasure of the appointing authority is deemed to be reappointed if, at the expiration of the appointing authority's term, the public officer continues to hold appointive office and must file a Statement of Financial Disclosure within 30 days of being reappointed.

(3) All elected and appointed public and judicial officers must file a Statement of Financial Disclosure on each year, including the year the term expires, on or before March 31 of each year the appointed or elected office is held.

NOTE: Per the Nevada Constitution, the terms of members of the State Legislature expire the day after the next election for the office.

(4) If an elected or appointed official leaves office, other than on the expiration of the term or the anniversary of being appointed to office, a Statement of Financial Disclosure is required to be filed within 60 days of leaving office.

NOTE: A Statement filed pursuant to one of the provisions of this section may be used to satisfy the requirements of another section if the initial statement was filed within three months before the other Statement was required to be filed. The public or judicial officer shall notify the Commission, in writing, of his/her intention to use the previously filed Statement to fulfill the present requirement.

5. **NAC 281.185 Filing of Statements by a public officer who serves at the pleasure of an appointing authority who has no fixed term of office.** A public officer who serves at the pleasure of an appointing authority who has no fixed term of office shall file a Statement of Financial Disclosure at the following prescribed times, in addition to the initially required Statement:

(1) Every two years after his/her appointment; and

(2) Within 90 days before the termination of his/her appointment, if he/she has notice of the pending termination or if he/she is discharged, without notice, within 10 days of his/her discharge.

6. **NRS 281.571(3)(b) Definition of "household."** "Household" includes:

(1) A person who does not live in the same home or dwelling as the public or judicial officer, but who is dependent upon and receiving substantial support from the public or judicial officer;

(2) A person who lived in the home or dwelling of the candidate or public or judicial officer for six months or more in the year immediately preceding the year in which the candidate or public or judicial officer files the statement of financial disclosure.

7. **NRS 281.581 Penalty for failure to disclose.** A candidate or public or judicial officer who fails to file his Statement of Financial Disclosure in a timely manner pursuant to NRS 281.561 is subject to a civil penalty and payment of court costs and attorney's fees. The amount of the civil penalty is:

(1) If the statement is filed not more than seven days late, $25 for each day the statement is late;

(2) If the statement is filed more than seven days late, but not more than 15 days late, $175 for the first seven days, plus $50 for each additional day the statement is late; and

(3) If the statement is filed more than 15 days late, $575 for the first 15 days, plus $100 for each additional day the statement is late.

8. Knowingly filing a Statement of Financial Disclosure containing false or misleading information is a gross misdemeanor. See NRS 197.130.

9. For your convenience, this form is printed on NCR paper and has three copies. The Commission receives the original form, your filing officer receives the form marked "FILING OFFICER" and, for your records, please retain the form marked "OFFICEHOLDER."

10. This form does not have to be notarized.

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COMMISSION ON ETHICS

STATEMENT OF FINANCIAL DISCLOSURE

(Please read instructions on cover sheet before beginning)

1. Name _____

2. Business telephone *(optional)* _____

3. Mailing address _____
   Street or P.O. Box City Zip

4. Length of residence in Nevada _____

5. Length of residence in district elected from *(if applicable)* _____

6. Precinct in which registered to vote _____

Please check the appropriate box:

7. I am filing this statement as an: ☐ Appointed official ☐ Elected official.

8. This is my: ☐ Initial filing ☐ Annual filing ☐ Candidate filing ☐ End-of-term filing.

Please complete this section in its entirety:

9a. Office sought/held _____

9b. Mailing address of office _____

9c. Date term of office/appointment began or will begin *(use a specific date)* _____

9d. Date term of office/appointment ends or will end *(use a specific date)* _____

9e. If appointed, name of appointing authority _____

9f. If appointed, date appointing authority's term ends *(use a specific date)* _____

10. Disclose each source of your income or that of any member of your household. No listing of individual clients or patients is required, but if that is the case, a general source such as "professional services" must be disclosed (NRS 281.571(1)(b)). You are **NOT** required to disclose the dollar amount of your income or that of your household members.

SOURCE	WHOSE *(Self and household members)*

(Attach additional sheets if necessary)

WHITE—COMMISSION COPY; GREEN—FILING OFFICER COPY; PINK—OFFICEHOLDER COPY.

11. Disclose the specific location and particular use of any real estate, **other than your primary personal residence,** in which you or a member of your household has a legal or beneficial interest and whose fair market value is $2,500 or more and which is located in this state or an adjacent state.

SPECIFIC LOCATION *(Specific addresses are required. Give street address or legal description)*	NATURE OF ITS PARTICULAR USE(S) *(Unimproved vacant land, agricultural land, commercial building, apartments, rental, etc.)*

(Attach additional sheets if necessary)

12. Disclose the name of each creditor to whom you or a member of your household owes $5,000 or more, except for: (a) A debt secured by a mortgage or deed of trust on real estate which is not required to be listed under item 11 above; (b) A debt for which a security interest in a motor vehicle for personal use was retained by the seller (NRS 281.571(2)).

DEBTOR	CREDITOR

(Attach additional sheets if necessary)

13. List all gifts, whose value is $200 or more, which you received during the preceding taxable year except: (a) A gift received from a person who is related to you within the third degree of consanguinity (blood relationship) or affinity (relationship by marriage); (b) Ceremonial gifts received for a birthday, wedding, anniversary, holiday or other ceremonial occasions if the donor does not have a substantial interest in your legislative, administrative, judicial or political actions. You must disclose the name of the donor.

GIFT	DONOR	VALUE

(Attach additional sheets if necessary)

14. List each business entity in which you or a member of your household is involved in as a trustee, beneficiary of a trust, director, officer, owner (whole or in part), limited or general partner or holder of any class of stock or security representing 1 percent or more of the total outstanding stock or securities issued by the business entity.

WHO	BUSINESS ENTITY

(Attach additional sheets if necessary)

THE INFORMATION CONTAINED IN THIS DOCUMENT IS TRUE AND COMPLETE.

Date _____ Signature _____

STATE OF NEVADA

COMMISSION ON ETHICS

The Metcalf Building
755 N. Roop Street, No. 104
Carson City, Nevada 89701-3197
(702) 687-5469

M-E-M-O-R-A-N-D-U-M

April 27, 1998

TO: All Individuals Required to File a Statement of Financial Disclosure, but Have not Done so

FROM: Lee-Ann Keever
Executive Secretary

SUBJECT: Penalties for Failure to File a Statement in a Timely Manner

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Per NRS 281.561(3) all elected and appointed officials are required to file a Statement of Financial Disclosure (Statement) with the Commission on Ethics (Commission) by March 31 of each year. There is no grace period for late filings and all late filings are subject to mandatory, statutory fines.

It has come to our attention that you have failed to file your Statement by the March 31, 1998 deadline. If you have sent it in the mail (postmarked no later than March 31), please disregard this notice.

Elected officials are notified of this requirement when filing for office. At that time, your filing officer had you sign an acknowledgment. By signing the acknowledgment, you agreed to file your Statement by the statutory deadline.

Appointed officials are generally notified of this requirement prior to being appointed. Whether elected or appointed, your delinquency in this matter is a violation of NRS 281.561(3) and you, therefore, are subject to legal action being initiated by this office.

NRS 281.581 authorizes the following fine schedule:

1) For Statements that are filed not more than 7 days late, $25.00 for each day the Statement is late;

2) For Statements that are filed more than 7 days late, but not more than 15 days late, $175.00 for the first 7 days, plus $50.00 for each additional day the Statement is late and

FINE SCHEDULE PER NRS 281.581

DATE DISCLOSURE STATEMENT REC'D	FINE AMOUNT	DATE DISCLOSURE STATEMENT REC'D	FINE AMOUNT
April 1	$25.00	May 1	$2.175.00
April 2	$50.00	May 2	$2,275.00
April 3	$75.00	May 3	$2,375.00
April 4	$100.00	May 4	$2.475.00
April 5	$125.00	May 5	$2.575.00
April 6	$150.00	May 6	$2.675.00
April 7	$175.00	May 7	$2.775.00
April 8	$225.00	May 8	$2.875.00
April 9	$275.00	May 9	$2.975.00
April 10	$325.00	May 10	$3.075.00
April 11	$375.00	May 11	$3.175.00
April 12	$425.00	May 12	$3.275.00
April 13	$475.00	May 13	$3.375.00
April 14	$525.00	May 14	$3.475.00
April 15	$575.00	May 15	$3.575.00
April 16	$675.00	May 16	$3.675.00
April 17	$775.00	May 17	$3.775.00
April 18	$875.00	May 18	$3.875.00
April 19	$975.00	May 19	$3.975.00
April 20	$1.075.00	May 20	$4.075.00
April 21	$1.175.00	May 21	$4,175.00
April 22	$1.275.00	May 22	$4,275.00
April 23	$1.375.00	May 23	$4.375.00
April 24	$1.475.00	May 24	$4.475.00
April 25	$1.575.00	May 25	$4.575.00
April 26	$1.675.00	May 26	$4.675.00
April 27	$1.775.00	May 27	$4.775.00
April 28	$1.875.00	May 28	$4.875.00
April 29	$1.975.00	May 29	$4.975.00

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